

Lead-Based Paint Hazard Control Grant Program

Request for Grant Assistance (RFGA)



U. S. Department of Housing and Urban Development
Washington, D.C. 20410

OFFICE OF LEAD HAZARD CONTROL

ISSUANCE DATE
June 3, 1997

REQUEST FOR GRANT APPLICATION (RFGA)
LEAD-BASED PAINT HAZARD CONTROL IN PRIVATELY-OWNED HOUSING
GRANT PROGRAM

OMB CONTROL NO. 2539-0005

Dear Applicant:

Thank you for requesting a Lead-Based Paint Hazard Control in Privately-Owned Housing Grant Program application package from the Department of Housing and Urban Development. The 1997 Lead-Based Paint Hazard Control Grant program is the fifth year that grant funds will be awarded to combat lead-based paint hazards contributing to lead poisoning, especially for children under six years of age. Funds will be available to assist State and local governments to initiate or expand programs to identify and control lead-based paint hazards in eligible privately-owned housing units. The Department continues to be interested in cost-effective State and local lead hazard control approaches that can be replicated in as many settings as possible across the nation.

This solicitation is made pursuant to authority under Section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, Title X of the Housing and Community Development Act, Public Law 102-550, signed October 28, 1992 and the Department of Veterans Affairs, Housing and Urban Development and Independent Agencies Appropriation Act of 1997 (Public Law 104-204).

Grants will be awarded in two categories (Categories A and B). Approximately \$46 million in Lead Hazard Control grant funding will be available for Category A grants to States and units of local governments that have a current HUD-approved

Consolidated Plan. Approximately 12 to 15 Category A grants of \$1 million-\$4 million will be awarded to control lead-based paint hazards in eligible privately-owned housing.

Please be advised that a maximum of 33 percent of the funds under Category A of this NOFA shall be available to existing Lead-Based Paint Hazard Control grantees. The applications of existing grantees shall be evaluated and scored as a separate class and will not be in competition with previously unfunded applicants. Existing Category A grantees will be limited to applying for grants of \$1 million to \$3 million. Previously-unfunded Category A applicants will be limited to applying for grants of \$1 million to \$4 million each.

There is also approximately \$4 million in Category B grant funding available in a separate category for controlling lead-based paint hazards at or near Superfund sites or "brownfield" sites where Superfund or brownfield dollars will be spent to address lead-contaminated soil and HUD grant funds will be used to control lead hazards in eligible privately-owned housing. A maximum of 8 Category B grants of \$500,000-\$2 million will be awarded. This funding is intended to promote coordination between Superfund or the brownfield initiative with the HUD Lead-Based Paint Hazard Control Grant Program, maximize the benefits provided under each program, and involve the private sector.

Applicants are advised that in selecting grantees under this NOFA, the Secretary or his designee is unlikely to select applicants which were previously funded under the FY 96 NOFA issued May 14, 1996, or any applicant which has received two Lead-Based Paint Hazard Control Grants. This selection decision is pursuant to the Secretary's authority to ensure geographic distribution, encourage participation of applicants not previously funded, and to ensure that funds available under this NOFA are used effectively to promote the purposes of Title X and to target funds to areas of greatest need.

The NOFA includes application submission format changes which HUD believes will make the application for this competitive grant program simpler and less time consuming. **There is a separate application for Category A and Category B grants. An applicant may apply under either or both categories of assistance.**

The Application Package portion of this RFGA (Section I), contains detailed instructions for each component of the application submission, including the necessary forms, for both Category A and Category B applicants. In particular, note the Checklist and Table of Contents of this section for each category. Please follow the instructions in the Checklist to

ensure that you have met all the requirements for a complete application.

Applicants are to submit an application that addresses the major activities and rating factors outlined in the NOFA and the attached application submission package. Before you begin preparing your application, please read the entire RFGA package and NOFA to become knowledgeable about the process in order to ensure your eligibility and to determine that the activities you select clearly meet the program objectives and are eligible for assistance. This RFGA is complete in itself. Applicants are advised that this application kit and additional resource documents are available through the Office of Lead Hazard Control's home page on the Internet at:

<http://www.hud.gov/lea/leahome.html>

In accordance with the HUD Reform Act of 1989, HUD cannot provide any information on the relative standing of any application during the selection process. However, prior to submission, you may ask questions about the Category A grant program by calling Ellis Goldman at 202/755-1785 ext. 112. For Category B, call Melissa Shapiro at 202/755-1785 ext. 153. These are not toll-free numbers.

Applicants are advised that proposals submitted in response to this NOFA are subject to disclosure under the Freedom of Information Act (FOIA).

APPLICATIONS MUST BE RECEIVED NOT LATER THAN 3:00 P.M. (EASTERN TIME), Tuesday, August 5, 1997 (See Section 4.1 of the NOFA).

Thank you for your interest in HUD's Lead-Based Paint Hazard Control Grant Program.

Sincerely,

David E. Jacobs, Director
Office of Lead Hazard Control

REQUEST FOR GRANT
APPLICATION
1997

LEAD-BASED PAINT
HAZARD CONTROL
IN PRIVATELY-OWNED
HOUSING
GRANT PROGRAM

CATEGORY A
APPLICATION PACKAGE

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LEAD-BASED PAINT HAZARD CONTROL IN PRIVATELY-OWNED HOUSING
GRANT PROGRAM

To be completed by the Applicant:

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----- Your Category A application was received by HUD by the application deadline and will be considered for funding under the Lead-Based Paint Hazard Control in Privately-Owned Housing Grant Program. Section 103 of the 1989 HUD Reform Act requires that no information be released by HUD regarding the relative standing of any application until funding announcements are made. However, you may be contacted by HUD after initial screening of your application to permit you to correct minor deficiencies. You will have 21 days from the date of the HUD letter to correct the minor deficiencies in the application noted in that letter. (See Section III for details)

----- Your Category A application was not received by HUD by the application deadline; therefore, your application will not receive consideration for funding for a Lead-Based Paint Hazard Control in Privately-Owned Housing grant.

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Date of Receipt                * Processor's Name
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Category A

Lead-Based Paint Hazard Control in Privately-Owned Housing Grant Program: General Instructions and Guidelines for Applicants

General Instructions: This Request for Grant Application (RFGA) should be used to apply for a Category A Lead-Based Paint Hazard Control in Privately-Owned Housing Program grant. **Section I** constitutes the Application Submission Package.

The Notice of Funding Availability (NOFA) can be found at the back of this application package and should be read before preparing the application.

1. Purpose: The purpose of the Lead-Based Paint Hazard Control in Privately-Owned Housing Grant Program is to:

(1) implement a national strategy to assist States and local governments to build the infrastructure necessary to eliminate lead-based paint hazards in all housing, as widely and expeditiously as possible;

(2) encourage effective action to prevent childhood lead poisoning by establishing a workable framework for lead-based paint hazard identification and control;

(3) mobilize public and private resources, involving cooperation among all levels of government and the private sector, to develop the most promising, cost-effective methods for identifying and controlling lead-based paint hazards; and

(4) promote job training, employment, and other economic lift opportunities for low-income residents and businesses which are owned by and/or employ low-income and minority residents.

This NOFA is authorized under Section 1011 of The Residential Lead-Based Hazard Reduction Act of 1992 (Public Law 102-550), October 28, 1992. The Department of Veterans Affairs, Housing and Urban Development and Independent Agencies Appropriation Act of 1997 (Public Law 104-204) appropriated funds for the grant program.

2. Eligibility: This is a competitive grant program limited to a State or unit of local government that has a currently approved Consolidated Plan. A matching contribution of 10

percent of the requested grant is also required. Applicants with outstanding findings of civil rights violations are not eligible for funding.

Applicants must also meet a number of Threshold Requirements as specified in Section 4.2 of the NOFA, and demonstrate that they have the legal authority and executive capability to carry out lead hazard control activities associated with this program.

NOTE: See Section 3.4(a) of the NOFA. A maximum of 33 percent of the funds under Category A of this NOFA shall be available to existing Lead-Based Paint Hazard Control grantees which meet the additional performance-based threshold criteria set forth in this NOFA. Existing grantees will be limited to applying for grants of \$1 million to \$3 million. The applications of existing grantees shall be evaluated and scored as a separate class and will not be in competition with previously unfunded applicants. This limitation is imposed to build capacity in those areas where no previous grant supported work has been implemented, but still retain the Department's ability to target some funds to areas already being served. Applicants are advised that in selecting grantees under this NOFA, the Secretary or his designee is unlikely to select applicants that were previously funded under the FY 1996 NOFA (Round Four), issued May 14, 1996 (61 FR 24408) or any applicant which has been awarded two (2) Lead-Based Paint Hazard Control Grants. This selection decision is pursuant to the Secretary's authority to ensure geographic distribution and to ensure that funds available under this NOFA are used effectively to promote the purposes of Title X and to target funds to areas of greatest need.

Grant funds shall only be available for projects conducted by contractors, risk assessors, inspectors, workers and others engaged in lead-based paint activities who meet the requirements of a State Lead-Based Paint Contractor Certification and Accreditation Program that is at least as protective as the Federal certification program standards outlined in Appendix E of this NOFA.

3. **Eligible Hazard Control Activities:** Grant funds to identify and control the hazards of lead-based paint in eligible housing units constructed before 1978 can be used for the following direct and support activities. HUD encourages local innovation in performing work under this grant. HUD reserves the right, in negotiating the grant agreement, to

not approve budget items that, in its judgment, are not necessary for the direct support of program purposes, and to request the grantee reallocate such amounts for other acceptable purposes, or to make a corresponding reduction in the grant award.

DIRECT ACTIVITIES

- a. Performing risk assessments, inspections and testing of eligible housing units constructed prior to 1978 to determine the presence of lead-based paint, lead dust, or lead-contaminated soil through the use of acceptable testing procedures.
- b. Conducting lead hazard control activities which may include any combination of the following:
 - Interim control of lead-based paint hazards in housing;
 - Hazard abatement for programs that apply a differentiated set of resources to each unit, dependent upon conditions of the unit and the extent of hazards; and
 - Complete abatement of lead-based paint or lead-based paint hazards, including soil and dust, by means of removal, enclosure, encapsulation, or replacement methods.
- c. Carrying out temporary relocation of families and individuals during the period in which hazard control is conducted and until the time the affected unit receives clearance for reoccupancy.
- d. Conducting pre-hazard control blood lead testing of children under six years of age residing in units undergoing risk assessment, inspection or hazard control.
- e. Performing blood lead testing and air sampling to protect the health of the hazard-control workers, supervisors and contractors.
- f. Undertaking minimal housing rehabilitation activities under this program that are specifically required to ensure effective hazard control, and without which, the hazard control could not be effected. Grant funds from

this program may also be used for lead-based paint hazard control work conducted in conjunction with other housing rehabilitation programs.

- g. Conducting pre- and post-hazard control dust-wipe testing and analysis.
- h. Carrying out engineering and architectural activities that are necessary to, and in direct support of, lead hazard control.
- i. Providing training to low-income persons for the purposes of lead-based paint worker or contractor certification and/or licensing or other activities associated with the prevention of lead poisoning in young children.
- j. Conducting general or targeted community awareness or education programs on lead hazard control and lead poisoning prevention. This activity could also include educating owners of rental properties to the provisions of the Fair Housing Act. It would also include making all materials available in alternative formats for persons with disabilities (e.g.; braille, audio, large type), upon request.
- k. Securing liability insurance for lead hazard control activities.
- l. Supporting the data collection, analysis, and evaluation of grant program activities. This eligible project activity includes compiling and delivering such data as may be required by HUD. For estimating purposes, an applicant should consider devoting 3 percent of the total grant sum for this purpose (This 3 percent does not include blood lead and environmental testing costs). Note that this activity is not included in administrative costs, for which there is a separate 10 percent limit.
- m. Preparing a final report at the conclusion of grant activities.

SUPPORT ACTIVITIES

- a. Administrative costs (maximum 10 percent). See Appendix B of this NOFA for definition.
- b. Program planning and management costs of sub-grantees

and other sub-recipients.

INELIGIBLE ACTIVITIES

- a. Purchase of real property.
 - b. Purchase of capital equipment having a per unit cost in excess of \$5,000, except for XRF analyzers. If purchased, capital equipment and the XRF analyzers shall remain the property of the grantee at the conclusion of the project. Funds may be used, however, to lease equipment specifically for the Lead-Based Paint Hazard Control Grant program. If leased equipment, other than XRF analyzers, becomes the property of the grantee as the result of a lease arrangement, the leased equipment becomes the property of the grantee at the end of the grant period.
 - c. Chelation or other medical treatment costs related to children with elevated blood lead levels. Non-federal funds used to cover these costs may be counted as part of the required matching contribution.
4. **Maximum Assistance and Local Contributions:** Approximately \$46 million is available to fund 12 to 15 Category A grants. Grants will range between \$1 and \$4 million. As a minimum eligibility requirement, applicants shall provide a cash and/or in-kind match of at least 10 percent of the requested grant amount. The grant amount requested is to be a single overall request for the maximum 36 month period of performance. **Please be advised that a maximum of 33 percent of the funds under Category A of this NOFA shall be available to existing Lead-Based Paint Hazard Control grantees. Existing grantees will be limited to applying for no more than \$3 million. Previously-unfunded applicants will be limited to applying for no more than \$4 million.**
 5. **Completion of Work:** It is anticipated that applicants will complete project activities in 36 months.
 6. **Application Deadline.** The deadline for receipt of applications for the Category A Lead-Based Paint Hazard Control Grant Program is 3:00 P.M. Eastern Time, Tuesday, August 5, 1997. This is the date specified in the Notice of Funding Availability (NOFA) published in the Federal Register. Applications must be submitted complete, and on-time as required in the NOFA. Applications received after the deadline established will be ineligible for consideration.

Submit an **original** and **five copies** of your Category A application package to:

U.S. Department of Housing and Urban Development
Office of Lead Hazard Control
Attn: Mr. Ellis G. Goldman
451 7th Street, SW, Room B-133
Washington, D.C. 20410

7. **Final assembly of an Application Package.** Section I (Application Submission Package) provides all the pages, forms, certifications, and attachments necessary to apply for an award under this RFGA. The applicant should assemble the application package in the order shown in the Checklist and Table of Contents, number each page, and tab each section sequentially. Denote the appropriate page number on the Checklist and Table of Contents sheet that is to be included with the submission.

The narrative response to Rating Factors 1,2,3,4, and 6 cannot exceed a total of 25 pages. In addition, supplemental appendices for these factors may be submitted. However, these appendices may only consist of required threshold documents such as a copy of the lead-based paint element of the Consolidated Plan, tabular scientific data validating rating factor responses, organizational chart(s), resumes, job descriptions, Memorandums of Agreement/ Understanding, letters of commitment for participating in project, and other letters of support.

The narrative response to Rating Factor 5 (Actions to Affirmatively Further Fair Housing) is to be included as Appendix A and cannot exceed 5 pages. However, additional supporting documentation from the Analysis of Impediment and other pertinent FHEO planning documents may be included to supplement the narrative response to Rating Factor 5.

Exceeding the limit for either response will be deemed deficient and will be returned for corrective action. If not corrected and returned within the prescribed time, the application will not be considered.

Section II (Administrative Provisions) pertains to those applicants who are selected for an award. This section outlines the procedures HUD will follow in providing funds to recipient organizations and in administering the grant. See Appendix B in the NOFA for guidance on defining administrative costs. Full details will be included in the Grant Agreement.

- 8. Corrections of Minor Deficiencies.** As noted in Section III of this application package, HUD will notify an applicant, in writing, of any minor deficiencies such as a missing certification, a missing signature in the application, or a response exceeding the 25 page limitation to the Ratings Factors 1,2,3,4, and 6. Failure to respond to the minor deficiencies within the allotted 21 days will result in the application not being considered for funding.
- 9. Late Applications, Modifications of Applications, and Withdrawals of Applications**
- (a) Any application received at the office designated in the solicitation after the exact date and time specified for receipt will not be considered.
 - (b) Hand-delivered applications must be received in the designated office by the application deadline date and time (documentation is the notation on the application wrapper of the time and date received by the designated office).
 - (c) Facsimiles and electronically transmitted applications are not authorized and are not acceptable.
 - (d) Any modification of an application is subject to the same conditions as in paragraphs (a), (b), and (c) of this provision.
 - (e) Applications may be withdrawn by written notice, facsimile or telegram (including mailgram) received at any time prior to award. Applications may be withdrawn in person by an applicant or their authorized representative, provided their identity is made known and they sign a receipt for the application prior to award.
- 10. Further Information.** If you have any questions regarding your application or any other aspect of the Category A grant program, call Ellis G. Goldman at (202) 755-1785, ext. 112. (This is not a toll-free number).

Findings and Certifications

A. Consolidated Plan.

To be considered an eligible applicant for this grant program, applicants must have a current HUD-approved Consolidated Plan.

RESPONSE

Applicants are to submit documentation that they have a currently approved Consolidated Plan. Applicants are to include, as an appendix to the proposal, a copy of the lead-based paint element included in the approved Consolidated Plan.

Applicants that do not have a currently approved Consolidated Plan (typically non-entitlement communities), but are otherwise eligible for this grant program, must include the abbreviated Consolidated Plan which includes a lead-based paint hazard control strategy developed and submitted in accordance with 24 CFR 91.235. If applicable, provide a copy of the signed cover letter submitted to the HUD field office as evidence of submission of the abbreviated Consolidated Plan. Applicants are to include, as an appendix to the proposal, the lead-based paint hazard control strategy included in the abbreviated Consolidated Plan.

B. Section 102 of the HUD Reform Act -- Documentation and Public Access Requirements -- Applicant/Recipient Disclosures:

Documentation and public access requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its Federal Register notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the Federal Register on January 16, 1992 (57 FR 1942), for further information on these documentation and public access requirements.)

Disclosures. HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Applicant disclosures -- will be

made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. (See 24 CFR part 12, subpart C, and the notice published in the Federal Register on January 16, 1992 (57 FR 1942), for further information on these disclosure requirements.)

Applications submitted in response to this NOFA are subject to disclosure under the Freedom of Information Act (FOIA). To assist the Department in determining whether or not to release information contained in an application in the event a FOIA request is received, applicants may, by clearly identifying or otherwise indicating those portions of their applications which they believe should not be disclosed.

While an applicant's advice will be considered by the Department in its determination whether to release requested information or not, it must be emphasized that the Department is required by the FOIA to make an independent evaluation as to the information, notwithstanding the applicant's views. It is suggested that, if an applicant believes that confidential treatment is appropriate, the basis for this view should be provided, where possible, because general assertions or blanket requests for confidentiality, without more information, are not particularly helpful to the Department in making determinations concerning the release of information under the Act. It should also be noted that the Department is required to segregate disclosable information from non-disclosable items, so particular care should be taken in the identification of each portion for which confidential treatment is requested. An applicant's views concerning confidentiality will be used solely to aid the Department in preparing its response to FOIA requests. Further, applicants should note that the presence or absence of such comments or earmarking regarding confidential information will have no bearing whatsoever on the evaluation of applications submitted pursuant to this solicitation, nor will the absence of this earmarking automatically result in greater disclosure.

RESPONSE

Enclose with your application submission a completed copy of the HUD Form 2880 Applicant/ Recipient Disclosure/ Update Report.

C. Prohibition Against Lobbying Activities

Applicants for funding under this NOFA are subject to the provisions of Section 319 of the Department of Interior and Related Agencies Appropriations Act for FY 1991, 31 U.S.C. Section 1352 (the Byrd Amendment) and to the provisions of the Lobbying Disclosure Act of 1995, P.L. 104-65 (December 19, 1995).

The Byrd Amendment, which is implemented in regulations at 24 CFR Part 87, prohibits applicants for and recipients and sub-recipients of Federal contracts, grants, loans, cooperative agreements, and loan insurance or guarantees from using appropriated funds to attempt to influence Federal Executive or Legislative officers or employees in connection with obtaining such assistance, or with its extension, continuation, renewal, amendment or modification. In addition, applicants for and recipients and sub-recipients of Federal contracts, grants, loans, cooperative agreements, and loan insurance or guarantees above certain monetary amounts must file either a certification stating that they have not made and will not make any prohibited payments or a statement disclosing any prohibited payments or agreements to make such payments.

The Lobbying Disclosure Act of 1995, P.L. 104-65 (December 19, 1995), which repealed Section 112 of the HUD Reform Act and resulted in the elimination of the regulations at 24 CFR Part 86, requires all persons and entities who lobby covered Executive or Legislative Branch officials to register with the Secretary of the Senate and the Clerk of the House of Representatives and file reports concerning their lobbying activities.

RESPONSE

If applicable, please complete the Disclosure of Lobbying Activities - Form SF-LLL included in this application package. If not applicable, please indicate on the Table of Contents Checklist.

D. Drug-Free Workplace Requirements

Instructions for Certification

1. By submitting this application, the applicant is providing the certification set forth below.

2. The certification set forth below is a material representation of fact upon which reliance will be placed if HUD awards a grant to the applicant. If it is later determined that the applicant knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

Certification Regarding Drug-Free Workplace Requirements

The applicant certifies that it will provide a drug-free

workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about --

(1) the dangers of drug abuse in the workplace;

(2) the applicant's policy of maintaining a drug-free workplace;

(3) any available drug counseling, rehabilitation, and employee assistance programs; and

(4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

(1) abide by the terms of the statement; and

(2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notifying HUD within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --

(1) taking appropriate personnel action against such an employee, up to and including termination; or

(2) requiring such employee to participate satisfactorily in

a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

RESPONSE

The applicant shall insert in the space provided on the Certification and Assurance Form (**Item m**) the site(s) for the performance of work done in connection with this grant program:

E. Procurement Standards

All grantees are governed by and should consult 24 CFR sections 85.36 and 85.37, which implement OMB Circular A-102 and detail the procedures for subcontracts and sub-grants by States and local governments. Under § 85.36, which pertains to subcontracts, small purchase procedures can be used for contracts up to \$100,000, and require price or rate quotations from several sources (three is acceptable); above that threshold, more formal procedures are required (note that § 85.36 treats States differently than local governments). Section 85.37 procedures apply to sub-grants, and are not as restrictive. If States have more restrictive standards for contracts and grants, the State standards can be applied. All grantees should consult and become familiar with §§ 85.36 and 85.37 before issuing subcontracts or sub-grants.

F. Davis-Bacon Act

The Davis-Bacon Act does not apply to this program. However, if grant funds are used in conjunction with other Federal programs in which prevailing wage rates apply, then Davis-Bacon provisions would apply to the extent required under the other Federal programs.

G. Prohibition Against Advance Information on Funding Decisions

HUD's regulation implementing Section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a) (Reform Act), codified at 24 CFR part 4, applies to the funding competition announced today. The requirements of the

rule continue to apply until the announcement of the selection of successful applicants.

HUD employees involved in the review of applications and in the making of funding decisions are restrained by part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics-related questions should contact the HUD Office of Ethics (202) 708-3815 (this is not a toll-free number). Any HUD employee who has specific program questions, such as whether particular subject matter can be discussed with persons outside the Department, should contact the appropriate Field Office Counsel or Headquarters Counsel for the program to which the question pertains.

H. Federalism Executive Order

The General Counsel, as the Designated Official under Section 8(a) of Executive Order 12612, Federalism, has determined that the policies and procedures contained in this NOFA will not have substantial direct effects on States or their political subdivisions, or the relationship between the federal government and the States, or the distribution of power and responsibilities among the various levels of government. Under this NOFA, grants will be made for the control of lead-based paint and lead-dust hazards in low-income, owner-occupied units and privately-owned, low-income rental units. Although the Department encourages States and local governments to initiate or expand lead-based paint certification, testing, abatement, and financing programs, any action by a State or local government in these areas is voluntary. Because action is not mandatory, the NOFA does not impinge upon the relationships between the Federal Government, and State and local governments, and the notice is not subject to review under the Order.

I. Family Executive Order

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this document will likely have a beneficial impact on family formation, maintenance and general well-being. The NOFA, insofar as it controls lead-based paint hazards in privately-owned housing, will assist in preserving decent housing stock for low-income resident families. Accordingly, since the impact on the family is beneficial, no

further review is necessary.

J. Debarred and Suspended Applicants

HUD shall not award an assistance instrument to any applicant that is debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549. Prior to award, HUD shall check the General Services Administration's Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs. Any applicant found to be on that list shall be ineligible for an award under this RFGA.

CATEGORY A

LEAD-BASED PAINT HAZARD CONTROL IN PRIVATELY- OWNED HOUSING GRANT PROGRAM

SECTION I. APPLICATION SUBMISSION PACKAGE

CATEGORY A

CHECKLIST AND SUBMISSION TABLE OF CONTENTS

The following checklist is provided to ensure that you have submitted all of the required items in order for you to receive consideration for funding under Category A of this RFGA. Applicants must check off each item that they have included in their submission package and note the corresponding page number where the response is located. **Applicants are to include this checklist and submission table of contents with the proposal.**

Check Off		Page Number
<input type="checkbox"/>	Transmittal Letter	Cover page
<input type="checkbox"/>	Applicant Abstract Summary (limited to a maximum of 2 pages)	p. ____
Application Forms		
<input type="checkbox"/>	Standard Form 424 (Application for Federal Assistance) and SF 424A Section B (Budget Information/ Non-Construction Programs)	p. ____
<input type="checkbox"/>	Detailed Description of the <u>Federal</u> Budget Request Form	p. ____
<input type="checkbox"/>	Standard Form 424B (Assurances/ Non-Construction Programs)	p. ____
<input type="checkbox"/>	Certifications and Assurances Form	p. ____
<input type="checkbox"/>	Disclosure and Update Report Form (HUD-2880)	p. ____
<input type="checkbox"/>	Form SF-LLL Disclosure of Lobbying Activities Required	p. ____
<input type="checkbox"/>	<input type="checkbox"/> Form SF-LLL Not Required	
<input type="checkbox"/>	Drug-Free Certification/ Place of Performance	p. ____
Threshold Requirements (See Section 4.2 of NOFA)		
<input type="checkbox"/>	Documentation of Currently Approved Consolidated Plan	p. ____
<input type="checkbox"/>	Copy of Lead-Based Paint Element in Consolidated Plan	p. ____
<input type="checkbox"/>	Matching Contribution Statement	p. ____
	Documentation or Assurance -- Contractor Certification Program	
<input type="checkbox"/>	for State applicant; OR	p. ____
<input type="checkbox"/>	for local government applicant	p. ____
<input type="checkbox"/>	Continued Availability of Lead-Safe Housing to Low-Income Families (See NOFA, Appendix C)	p. ____
<input type="checkbox"/>	Cooperation with HUD-related Research and Evaluation	p. ____
<input type="checkbox"/>	Certification of No Outstanding Civil Rights Violations	p. ____
Rating Factor Response		
	(The narrative response to all Rating Factors 1,2,3,4 and 6 cannot exceed a total of 25 pages. Responses exceeding the 25 page limit will be considered a deficiency requiring corrective action.) The narrative response to Rating Factor 5 cannot exceed a total of 5 pages and should be submitted as Appendix A.	
<input type="checkbox"/>	# 1. Need	p. ____
<input type="checkbox"/>	# 2. Work Plan & Budget	p. ____
<input type="checkbox"/>	# 3. Community and Private Sector Participation	p. ____
<input type="checkbox"/>	# 4. Applicant Capacity and Commitment to Hazard Control	p. ____
<input type="checkbox"/>	# 5. Actions to Affirmatively Further Fair Housing (Appendix A)	p. ____
<input type="checkbox"/>	# 6. Lead Hazard Control Integration	p. ____
Appendices		
<input type="checkbox"/>	Appendix A, Rating Factor # 5. Actions to Affirmatively Further Fair Housing	p. ____
<input type="checkbox"/>	_____	p. ____
<input type="checkbox"/>	_____	p. ____
<input type="checkbox"/>	_____	p. ____

Transmittal Letter

Prepare a brief letter applying for the grant and signed by the Chief Executive or authorized official. The transmittal letter should indicate the applicant agency, the amount of the grant requested, the amount of cash or in-kind matching contributions and the number of units in which lead hazard control will be conducted. Also include the name and telephone number of the individual to contact for further information pertaining to the application.

Applicant Abstract

Prepare a brief (**two page maximum**) abstract describing:

- 1) your jurisdiction, and
- 2) the proposed lead-based paint hazard control project

Include the following items, and be specific and concise:

- demographic, socio-economic and housing characteristics of neighborhood(s) selected for hazard control activities, particularly housing with significant lead-based paint hazards likely to be included as eligible housing units in this project, and the extent of elevated blood lead levels among children under 6 years of age;
- your prior activities, experience and achievements in residential lead-based paint hazard control work, including testing and treatment methods, and collaboration with other agencies;
- the scope and magnitude of the proposed hazard control project work plan to include area selected, number of units, intended beneficiaries, and the projected impact on the neighborhood/jurisdiction. Include information on the proposed lead hazard control interventions, treatment method(s) and costs;
- the work plan for implementing how the proposed project will be carried out, the time period, number of units to be treated, total project cost; and relocation plans and community awareness, education, and outreach activities.

Standard Form 424: Application for Federal Assistance

Prepare a Standard Form 424. The SF-424 must be signed by the Chief Executive Officer or an official authorized to sign for the applicant organization(s).

In addition, the SF-424 shall provide the name, title, address, and telephone number of the individual(s) authorized to negotiate on behalf of the applicant and accept all assistance provided, and who may be contacted during the period of proposal evaluation.

Attach a completed and properly signed copy of Standard Form 424 and a 424A to the application.

CATEGORY A

APPLICATION FORMS

- ⚙ SF-424
- ⚙ SF-424A Section B
- ⚙ Detailed Description of HUD
(Federal) Funds Budget Request
- ⚙ SF-424B
- ⚙ Certifications and Assurances
- ⚙ HUD 2880
- ⚙ SF-LLL

Application for Federal Assistance

OMB Approval No. 0348-0043

1. Type of Submission: <table style="width: 100%;"><tr><td style="width: 50%;">Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction</td><td style="width: 50%;">Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction</td></tr></table>		Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. Date Submitted	Applicant Identifier																			
		Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction																					
		3. Date Received by State	State Application Identifier																					
4. Date Received by Federal Agency	Federal Identifier																							
5. Applicant Information																								
Legal Name		Organizational Unit																						
Address (give city, county, State, and zip code):		Name, telephone number, and facsimile number of the person to be contacted on matters involving this application (give area codes)																						
6. Employer Identification Number (EIN): <div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0;"></div>		7. Type of Applicant: (enter appropriate letter in box) <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block; vertical-align: middle;"></div> <table style="width: 100%; font-size: small;"><tr><td>A. State</td><td>H. Independent School Dist.</td></tr><tr><td>B. County</td><td>I. State Controlled Institution of Higher Learning</td></tr><tr><td>C. Municipal</td><td>J. Private University</td></tr><tr><td>D. Township</td><td>K. Indian Tribe</td></tr><tr><td>E. Interstate</td><td>L. Individual</td></tr><tr><td>F. Intermunicipal</td><td>M. Profit Organization</td></tr><tr><td>G. Special District</td><td>N. Other (Specify):</td></tr></table>		A. State	H. Independent School Dist.	B. County	I. State Controlled Institution of Higher Learning	C. Municipal	J. Private University	D. Township	K. Indian Tribe	E. Interstate	L. Individual	F. Intermunicipal	M. Profit Organization	G. Special District	N. Other (Specify):							
A. State	H. Independent School Dist.																							
B. County	I. State Controlled Institution of Higher Learning																							
C. Municipal	J. Private University																							
D. Township	K. Indian Tribe																							
E. Interstate	L. Individual																							
F. Intermunicipal	M. Profit Organization																							
G. Special District	N. Other (Specify):																							
8. Type of Application: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block; margin: 0 5px;"></div> <div style="border: 1px solid black; width: 20px; height: 20px; display: inline-block; margin: 0 5px;"></div> <table style="width: 100%; font-size: small;"><tr><td>A. Increase Award</td><td>B. Decrease Award</td><td>C. Increase Duration</td></tr><tr><td>D. Decrease Duration</td><td colspan="2">Other (specify):</td></tr></table>		A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	Other (specify):																		
A. Increase Award	B. Decrease Award	C. Increase Duration																						
D. Decrease Duration	Other (specify):																							
9. Name of Federal Agency:																								
10. Catalog of Federal Domestic Assistance Number: <div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0;"></div> Title:		11. Descriptive Title of Applicant's Project:																						
12. Areas Affected by Project (cities, counties, States, etc.):																								
13. Proposed Project: <table style="width: 100%;"><tr><td style="width: 30%;">Start Date</td><td style="width: 30%;">Ending Date</td></tr></table>				Start Date	Ending Date																			
Start Date	Ending Date																							
14. Congressional Districts of: <table style="width: 100%;"><tr><td style="width: 60%;">a. Applicant</td><td style="width: 40%;">b. Project</td></tr></table>		a. Applicant	b. Project																					
a. Applicant	b. Project																							
15. Estimated Funding: <table style="width: 100%;"><tr><td style="width: 30%;">a. Federal</td><td style="width: 10%;">\$</td><td style="width: 10%;">.00</td></tr><tr><td>b. Applicant</td><td>\$</td><td>.00</td></tr><tr><td>c. State</td><td>\$</td><td>.00</td></tr><tr><td>d. Local</td><td>\$</td><td>.00</td></tr><tr><td>e. Other</td><td>\$</td><td>.00</td></tr><tr><td>f. Program Income</td><td>\$</td><td>.00</td></tr><tr><td>g. Total</td><td>\$</td><td>.00</td></tr></table>		a. Federal	\$.00	b. Applicant	\$.00	c. State	\$.00	d. Local	\$.00	e. Other	\$.00	f. Program Income	\$.00	g. Total	\$.00	16. Is Application Subject to Review by State Executive Order 12372 Process? a. Yes This preapplication/application was made available to the State Executive Order 12372 Process for review on: <div style="margin-left: 40px;">Date: _____</div> b. No <input type="checkbox"/> Program is not covered by E.O. 12372 or <input type="checkbox"/> Program has not been selected by State for review.	
a. Federal	\$.00																						
b. Applicant	\$.00																						
c. State	\$.00																						
d. Local	\$.00																						
e. Other	\$.00																						
f. Program Income	\$.00																						
g. Total	\$.00																						
		17. Is the Applicant Delinquent on Any Federal Debt? <input type="checkbox"/> Yes If "Yes," explain below or attach an explanation <input type="checkbox"/> No																						
18. To the best of my knowledge and belief, all data in this application/preapplication are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.																								
a. Typed Name of Authorized Representative		b. Title	c. Telephone Number																					
d. Signature of Authorized Representative		e. Date Signed																						

Instructions for the SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, D.C. 20503. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item	Entry	Item	Entry
1.	Self-explanatory.	12.	List only the largest political entities affected (e.g., State, counties, cities).
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	13.	Self-explanatory.
3.	State use only (if applicable).	14.	List the applicant's Congressional District and any District(s) affected by the program or project.
14.	If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.
5.	Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
7.	Enter the appropriate letter in the space provided.	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
8.	Check appropriate box and enter appropriate letter(s) in the space(s) provided: <ul style="list-style-type: none">– "New" means a new assistance award.– "Continuation" means an extension for an additional funding budget period for a project with a projected completion date.– "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.		
9.	Name of Federal agency from which assistance is being requested with this application.		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.		
11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.		

Budget Information — Non-Construction Programs

OMB Approval No. 0348-0044

Section A - Budget Summary

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. Totals		\$	\$	\$	\$	\$

6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$	\$	\$	\$	\$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)					
j. Indirect Charges					
k. Totals (sum of 6i and 6j)					

7. Program Income	\$	\$	\$	\$	\$
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Section C - Non-Federal Resources

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) Totals
8.	\$	\$	\$	\$
9.				
10.				
11.				
12. Total (sum of lines 8 - 11)	\$	\$	\$	\$

Section D - Forcasted Cash Needs

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$	\$	\$	\$	\$
14. Non-Federal					
15. Total (sum of lines 13 and 14)	\$	\$	\$	\$	\$

Section E - Budget Estimates of Federal Funds Needed for Balance of the Project

(a) Grant Program	Future Funding Periods (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. Total (sum of lines 16-19)	\$	\$	\$	\$

Section F - Other Budget Information

21. Direct Charges	22. Indirect Charges
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23. Remarks

Instructions for the SF-424A

Public Reporting Burden for this collection of information is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0044), Washington, D.C. 20503. Do not send this completed form to this addressee.

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the later case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary Lines 1-4 Columns (a) and (b)

For applications pertaining to a **single** Federal grant program (Federal Domestic Assistance Catalog number) and **not requiring** a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a **single** program **requiring** budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in **Column** (a) and the respective catalog number on each line in Column (b).

For applications pertaining to **multiple** programs where one or more programs **require** a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not

provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5—Show the totals for all columns used.

Section B. Budget Categories

In the column headings (a) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements

for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i—Show the totals of Lines 6a to 6h in each column.

Line 6j—Show the amount of indirect cost.

Line 6k—Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7—Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8-11—Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a)—Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b)—Enter the contribution to be made by the applicant.

Column (c)—Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d)—Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e)—Enter totals of Columns (b), (c), and (d).

Line 12—Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f) Section A.

Section D. Forecasted Cash Needs

Line 13—Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14—Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15—Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for

Balance of the Project

Lines 16-19—Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20—Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21—Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22—Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23—Provide any other explanations or comments deemed necessary.

Budget Summary

Federal Share

Name and Address of Applicant: _____

Detailed Description of Budget

Category		Estimated Hours	Rate/ Hour	Estimated Cost	Total Cost
1. Direct Labor	Position or Individual				
Total Direct Labor Cost					
2. Fringe Benefits	Category	Rate	Base	Estimated Cost	Total Cost
Total Fringe Benefits Cost					
3. Materials	Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
Total Materials Cost					

Budget Summary (con't.)

Federal Share

Detailed Description of Budget

Category	Mileage	Rate/ Mile	Estimated Cost	Total Cost
4. Travel a. Transportation (1) Local Private Vehicle				
4. Travel a. Transportation (2) Air/Destination	Trips	Fare	Estimated Cost	Total Cost
4. Travel a. Transportation (3) Other/Item	Quantity	Unit Cost	Estimated Cost	Total Cost
4. Travel b. Per Diem or Subsistence	Days	Rate/ Day	Estimated Cost	Total Cost
Total Travel Cost				
Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
5. Equipment				
Total Equipment Cost				
Category Type	Days	Rate/ Day	Estimated Cost	Total Cost
6. Consultants				
Total Consultants Cost				

Federal Share

Category				Estimated Cost	Total Cost
7. Subcontracts	List individual subcontracts				
Total Subcontracts Cost					
8. Other Direct	Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
Total Other Direct Cost					
9. Indirect	Category Type	Rate	Base	Estimated Cost	Total Cost
Total Indirect Cost					
Total Estimated Costs					

Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, D.C. 20503. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.O. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 36701 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a and 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air)

Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the national Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official

Title

Applicant Organization

Date Submitted

Certification and Assurances

As the duly authorized representative of the applicant, I certify that the applicant will:

- (a) Comply with environmental laws and authorities (24 CFR Part 58).
- (b) Comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. (Implementing Regulations at 49 CFR Part 24; and HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition.)
- (c) Comply with Federal civil rights laws and requirements.
- (d) Comply with the requirements of the Fair Housing Act (42 U.S.C. 3601-19); Executive Order 11063; Title VI of the Civil Rights Act of 1964, pertaining to equal opportunity and nondiscrimination in housing).
- (e) Comply with the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973.
- (f) Comply with Section 3 of the Housing and Urban Development Act of 1968. (Implementing regulations at 24 CFR Part 135.)
- (g) Assure that the financial management system meets the standards for fund control and accountability. (24 CFR 85.20)
- (h) Assure that pre-hazard control, clearance, and 12 month post-hazard control testing will be conducted by certified performers.
- (i) Assure that lead hazard control activities are conducted safely and effectively by certified performers.
- (j) Assure that laboratory analysis is conducted by a laboratory accredited through the National Lead Laboratory Accreditation Program-accrediting body.
- (k) Assure, to the extent possible, that blood lead testing, blood lead level test results, and medical referral and follow-up is conducted for children under six occupying affected units according to the recommendations of the Centers for Disease Control and Prevention (CDC). (See Appendix A - Preventing Lead Poisoning in Young Children, October, 1991.)

- (l) Assure that Lead Hazard Control Grant program funds will not replace existing resources dedicated to any ongoing project.
- (m) Provide any other assurances that HUD includes in the application kit under this NOFA, including certification of compliance with the Drug-Free Workplace Act of 1988 in accordance with the requirements set forth at 24 CFR part 24, subpart F.

The applicant shall insert in the space below the site(s) for the performance of work done in connection with this grant program. See Other Matters - D. DrugFree Workplace Requirements in this Request for Grant Application (RFGA).

Place of Performance (Street address, city, county, state, zip code)

Signature of Authorized Certifying Official

Date

Title

RESPONSE

Please attach this completed and signed form as part of the application. Include with SF 424B - Certifications and Assurances.

Certification of No Outstanding Civil Rights Violations.

I certify that:

- (1) There is no pending civil rights suit against the the applicant agency instituted by the Department of Justice.
- (2) There is no outstanding finding of noncompliance with civil rights statutes, Executive Orders or regulations as a result of formal administrative proceedings, unless the applicant is operating under a HUD-approved compliance agreement designed to correct the area of noncompliance, or is currently negotiating such an agreement with the Department.
- (3) There is no unresolved Secretarial charge of discrimination issued under Section 810(g) of the Fair Housing Act, as implemented by 24 CFR 103.400.
- (4) There has been no adjudication of a civil rights violation in a civil action brought against the Agency by a private individual, unless the Agency is operating in compliance with a court order designed to correct the area of noncompliance, or the applicant has discharged any responsibility arising from such litigation.
- (5) There has been no deferral of the processing of applications from the applicant Agency imposed by HUD under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3), or the HUD Title VI regulations (24 CFR 1.8) and procedures, or under Section 504 of the Rehabilitation Act of 1973 and the HUD Section 504 Regulations (24 CFR 8.57)."

Signature of Authorized Certifying Official

Title

Date

Applicant/Recipient Disclosure/Update Report

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 4.)

Part I Applicant/Recipient Information

Indicate whether this is an Initial Report ☐

or an Update Report ☐

1. Applicant/Recipient Name, Address, and Phone (include area code)

Social Security Number or
Employer ID Number

2. Project Assisted/ to be Assisted (Project/Activity name and/or number and its location by Street address, City, and State)

3. Assistance Requested/Received

4. HUD Program

5. Amount Requested/Received
\$

Part II. Threshold Determinations -- Applicants Only

1. Are you requesting HUD assistance for a specific project or activity, as provided by 24 CFR Part 12, Subpart C, **and** have you received, or can you reasonably expect to receive, an aggregate amount of all forms of covered assistance from HUD, States, and units of general local government, in excess of \$200,000 during the Federal fiscal year (October 1 through September 30) in which the application is submitted?

☐ Yes☐ No

If Yes, you must complete the remainder of this report.

If No, you must sign the certification below and answer the next question.

I hereby certify that this information is true. (Signature) _____ Date _____

2. Is this application for a specific housing project that involves other government assistance?

☐ Yes☐ No

If Yes, you must complete the remainder of this report.

If No, you must sign this certification.

I hereby certify that this information is true. (Signature) _____ Date _____

If your answers to both questions are No, you do not need to complete Parts III, IV, or V, but you must sign the certification at the end of the report.

Part III. Other Government Assistance Provided/Requested

Department/State/Local Agency Name and Address	Program	Type of Assistance	Amount Requested/Provided

Is there other government assistance that is reportable in this Part and in Part V, but that is reported only in Part V? ☐ Yes ☐ No

If there is no other government assistance, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

Part IV. Interested Parties

Alphabetical list of all persons with a reportable financial interest in the project or activity (for individuals, give the last name first)	Social Security Number or Employee ID Number	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

If there are no persons with a reportable financial interest, you must certify that this information is true.
I hereby certify that this information is true. (Signature) _____ Date _____

Source	

If there are no sources of funds, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

I hereby certify that this information is true. (Signature) _____ Date _____

I hereby certify that this information is true. (Signature) _____ Date _____

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

Signature	Date
-----------	------

Public reporting burden for this collection of information is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Paperwork Reduction Project (2510-0011), Office of Information Technology, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

Do not send this form to the above address.

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is optional. The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §12.34.

Note: This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

Instructions (See Note 1 on last page.)

I. Overview. Subpart C of 24 CFR Part 12 provides for (1) initial reports from applicants for HUD assistance and (2) update reports from recipients of HUD assistance. An overview of these requirements follows.

A. Applicant disclosure (initial) reports: General. All applicants for assistance from HUD for a specific project or activity must make a number of disclosures, if the applicant meets a dollar threshold for the receipt of covered assistance during the fiscal year in which the application is submitted. The applicant must also make the disclosures if it requests assistance from HUD for a specific housing project that involves assistance from other governmental sources.

Applicants subject to Subpart C must make the following disclosures:

- Assistance from other government sources in connection with the project,
- The financial interests of persons in the project,
- The sources of funds to be made available for the project, and
- The uses to which the funds are to be put.

B. Update reports: General. All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

C. Applicant disclosure reports: Specific guidance. The applicant must complete all parts of this disclosure form if **either** of the following **two** circumstances in paragraph 1. or 2., below, applies:

1.a. **Nature of Assistance.** The applicant submits an application for assistance for a specific project or activity (See Note 2) in which:

HUD makes assistance available to a recipient for a specific project or activity; or

HUD makes assistance available to an entity (other than a State or a unit of general local government), such as a public housing agency (PHA), for a specific project or activity, where the application is required by statute or regulation to be submitted to HUD for any purpose; **and**

b. **Dollar Threshold.** The applicant has received, or can reasonably expect to receive, an aggregate amount of all forms of assistance (See Note 3) from HUD, States, and units of general local government, in excess of \$200,000 during the Federal fiscal year (October 1 through September 30) in which the application is submitted. (See Note 4)

2. The applicant submits an application for assistance for a specific housing project that involves other government assistance. (See Note 5) **Note:** There is no dollar threshold for this criterion: **any** other government assistance triggers the requirement. (See Note 6)

If the Application meets **neither** of these two criteria, the applicant need only complete Parts I and II of this report, as well as the certification at the end of the report. If the Application meets **either** of these criteria, the applicant must complete the entire report.

The applicant disclosure report must be submitted with the application for the assistance involved.

D. Update reports: Specific guidance. During the period in which an application for covered assistance is pending, or in which the assistance is being provided (as indicated in the relevant grant or other agreement), the applicant must make the following additional disclosures:

1. Any information that should have been disclosed in connection with the application, but that was omitted.
2. Any information that would have been subject to disclosure in connection with the application, but that arose at a later time, including information concerning an interested party that now meets the applicable disclosure threshold referred to in Part IV, below.
3. For changes in previously disclosed other government assistance:

For programs administered by the Assistant Secretary for Community Planning and Development, any change in other government assistance that exceeds the amount of such assistance that was previously disclosed by \$250,000 or by 10 percent of the assistance (whichever is lower).

For all other programs, any change in other government assistance that exceeds the amount of such assistance that was previously disclosed.

4. For changes in previously disclosed financial interests, any change in the amount of the financial interest of a person that exceeds the amount of the previously disclosed interests by \$50,000 or by 10 percent of such interests (whichever is lower).

5. For changes in previously disclosed sources or uses of funds:
- a. For programs administered by the Assistant Secretary for Community Planning and Development:

Any change in a source of funds that exceeds the amount of all previously disclosed sources of funds by \$250,000 or by 10 percent of those sources (whichever is lower); and

Any change in a use of funds under paragraph (b)(1)(iii) that exceeds the amount of all previously disclosed uses of funds by \$250,000 or by 10 percent of those uses (whichever is lower).

- b. For all programs, other than those administered by the Assistant Secretary for Community Planning and Development:

For projects receiving a tax credit under Federal, State, or local law, any change in a source of funds that was previously disclosed.

For all other projects, any change in a source of funds that exceeds the lower of:

The amount previously disclosed for that source of funds by \$250,000, or by 10 percent of the amount previously disclosed for that source, whichever is lower; or

The amount previously disclosed for all sources of funds by \$250,000, or by 10 percent of the amount previously disclosed for all sources of funds, whichever is lower.

- c. For all programs, other than those administered by the Assistant Secretary for Community Planning and Development:

For projects receiving a tax credit under Federal, State, or local law, any change in a use of funds that was previously disclosed.

For all other projects, any change in a use of funds that exceeds the lower of:

The amount previously disclosed for that use of funds by \$250,000, or by 10 percent of the amount previously disclosed for that use, whichever is lower; or

The amount previously disclosed for all uses of funds by \$250,000, or by 10 percent of the amount previously disclosed for all uses of funds, whichever is lower.

Note: Update reports must be submitted within 30 days of the change requiring the update. The requirement to provide update reports only applies if the application for the underlying assistance was submitted on or after the effective date of Subpart C.

II. Line-by-Line Instructions.

A. Part I. Applicant/Recipient Information.

All applicants for HUD assistance specified in Section I.C.1.a., above, as well as all recipients required to submit an update report under Section I.D., above, must complete the information required by Part I. The applicant/recipient must indicate whether the disclosure is an initial or an update report. Line-by-line guidance for Part I follows:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
2. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.
3. Applicants describe the HUD assistance referred to in Section I.C.1.a. that is being requested. Recipients describe the HUD assistance to which the update report relates.

4. Applicants enter the HUD program name under which the assistance is being requested. Recipients enter the HUD program name under which the assistance, that relates to the update report, was provided.

5. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.

Note: In the case of Mortgage Insurance under 24 CFR Subtitle B, Chapter II, the mortgagor is responsible for making the applicant disclosures, and the mortgagee is responsible for furnishing the mortgagor's disclosures to the Department. Update reports must be submitted directly to HUD by the mortgagor.

Note: In the case of the Project-Based Certificate program under 24 CFR Part 882, Subpart G, the owner is responsible for making the applicant disclosures, and the PHA is responsible for furnishing the owner's disclosures to HUD. Update reports must be submitted through the PHA by the owner.

B. Part II. Threshold Determinations — Applicants Only

Part II contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

1. The first question asks whether the applicant meets the Nature of Assistance and Dollar Threshold requirements set forth in Section I.C.1. above.

If the answer is Yes, the applicant must complete the remainder of the form. If the answer is No, the form asks the applicant to certify that its response is correct, and to complete the next question.

2. The second question asks whether the application is for a specific housing project that involves other government assistance, as described in Section I.C.2. above.

If the answer is Yes, the applicant must complete the remainder of the form. If the answer is No, the form asks the applicant to certify that its response is correct.

If the answer to both questions¹ and 2 is No, the applicant need not complete Parts III, IV, or V of the report, but must sign the certification at the end of the form.

C. Part III. Other Government Assistance.

This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports. Applicants must report any other government assistance involved in the project or activity for which assistance is sought. Recipients must report any other government assistance involved in the project or activity, to the extent required under Section I.D.1., 2., or 3., above.

Other government assistance is defined in note 5 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available. Include at least one organizational level below the agency name. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol.
2. Enter the program name and any relevant identifying numbers, or other means of identification, for the other government assistance.
3. State the type of other government assistance (e.g., loan, grant, loan insurance).
4. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).

If the applicant has no other government assistance to disclose, it must certify that this assertion is correct.

To avoid duplication, if there is other government assistance under this Part and Part V, the applicant/recipient should check the appropriate box in this Part and list the information in Part V, clearly designating which sources are other government assistance.

D. Part IV. Interested Parties.

This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports.

Applicants must provide information on:

- (1) All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- (2) any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Recipients must make the additional disclosures referred to in Section I.D.1., 2., or 4, above.

Note: A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses of all persons referred to in paragraph (1) or (2) of this Part. If the person is an entity, the listing must include the full name of each officer, director, and principal stockholder of the entity. All names must be listed alphabetically, and the names of individuals must be shown with their last names first.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

If the applicant has no persons with financial interests to disclose, it must certify that this assertion is correct.

5. Part V. Report on Sources and Uses of Funds. This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports.

The applicant disclosure report must specify all expected sources of funds — both from HUD and from any other source — that have been, or are to be, made available for the project or activity. Non-HUD sources of funds typically include (but are not limited to) other government assistance referred to in Part III, equity, and amounts from foundations and private contributions. The report must also specify all expected uses to which funds are to be put. All sources and uses of funds must be listed, if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the source or use will be forthcoming.

Note that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

General Instructions — sources of funds

Each reportable source of funds must indicate:

- a. The name and address, city, State, and zip code of the individual or entity making the assistance available. At least one organizational level below the agency name should be included. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol.
- b. The program name and any relevant identifying numbers, or other means of identification, for the assistance.
- c. The type of assistance (e.g., loan, grant, loan insurance).

Specific instructions — sources of funds.

(1) For programs administered by the Assistant Secretaries for Fair Housing and Equal Opportunity and Policy Development and Research, each source of funds must indicate the total amount of approved, and received; and must be listed in descending order according to the amount indicated.

(2) For programs administered by the Assistant Secretaries for Housing-Federal Housing Commissioner, Community Planning and Development, and Public and Indian Housing, each source of funds must indicate the total amount of funds involved, and must be listed in descending order according to the amount indicated.

(3) If Tax Credits are involved, the report must indicate all syndication proceeds and equity involved.

General instructions—uses of funds.

Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as “total structure” to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

Specific instructions -- uses of funds.

(1) For programs administered by the Assistant Secretaries for Fair Housing and Equal Opportunity and Policy Development and Research, each use of funds must indicate the total amount of funds involved; must be broken down by amount committed, budgeted, and planned; and must be listed in descending order according to the amount indicated.

(ii) For programs administered by the Assistant Secretaries for Housing-Federal Housing Commissioner, Community Planning and Development, and Public and Indian Housing, each use of funds must indicate the total amount of funds involved and must be listed in descending order according to the amount involved.

(iii) If any program administered by the Assistant Secretary for Housing-Federal Housing Commissioner is involved, the report must indicate all uses paid from HUD sources and other sources, including syndication proceeds. Uses paid should include the following amounts.

AMPO

Architect's fee — design
Architect's fee — supervision
Bond premium
Builder's general overhead
Builder's profit
Construction interest
Consultant fee
Contingency Reserve
Cost certification audit fee
FHA examination fee
FHA inspection fee
FHA MIP
Financing fee
FNMA / GNMA fee
General requirements
Insurance
Legal — construction
Legal — organization
Other fees
Purchase price
Supplemental management fund
Taxes
Title and recording
Operating deficit reserve
Resident initiative fund
Syndication expenses
Working capital reserve
Total land improvement
Total structures

Uses paid from syndication must include the following amounts:

Additional acquisition price and expenses
Bridge loan interest
Development fee
Operating deficit reserve
Resident initiative fund
Syndication expenses
Working capital reserve

Footnotes:

1. All citations are to 24 CFR Part 12, which was published in the Federal Register on March 14, 1991 at 56 Fed. Reg. 11032.
2. A list of the covered assistance programs can be found at 24 CFR §12.30, or in the rules or administrative instructions governing the program involved. Note: The list of covered programs will be updated periodically.
3. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1).
4. See 24 CFR §§12.32 (a)(2) and (3) for detailed guidance on how the threshold is calculated.
5. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
6. For further guidance on this criterion, and for a list of covered programs, see 24 CFR §12.50.
7. For purposes of Part 12, a person means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

Disclosure of Lobbying Activities

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse side for Instructions.)

Public Reporting Burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____	
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District , if known: _____			5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime: Congressional District , if known: _____		
6. Federal Department/Agency:			7. Federal Program Name/Description: CFDA Number , if applicable: _____		
8. Federal Action Number , if known: _____			9. Award Amount , if known: \$ _____		
10a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):			b. Individuals Performing Services (including address if different from No. 10a.) (last name, first name, MI):		

11. Information requested through this form is authorized by Sec.319, Pub. L. 101-121, 103 Stat. 750, as amended by sec. 10; Pub. L. 104-65, Stat. 700 (31 U.S.C. 1352). This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: _____
Print Name: _____
Title: _____
Telephone No.: _____ **Date:** _____

Federal Use Only:

**Authorized for Local Reproduction
Standard Form-LLL (1/96)**

Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

CATEGORY A

SAMPLE FORMS

- ⚙ **Detailed Description of HUD
(Federal) Funds Budget
Request
(Exhibit A)**
- ⚙ **SF-424A Section B**

(Exhibit B)

Budget Summary

EXHIBIT A

Federal Share (SAMPLE HUD FUNDS BUDGET REQUEST)

Name and Address of Applicant: _____

Detailed Description of Budget

1. Direct Labor	Category Position or Individual	Estimated Hours	Rate/ Hour	Estimated Cost	Total Cost
	Lead Paint Program Coordinator	5200	\$14.09	\$75,612	\$75,612
	Human Service Specialist	5200	\$10.15	\$54,469	\$54,469
	(Note: Both positions include a 4 percent increase over 2 years.)				
	(attach pay scale for justification)				
	Total Direct Labor Cost				\$130,081
2. Fringe Benefits	Category Fringe Benefits Rate = .3058	Rate	Base	Estimated Cost	Total Cost
	Unemployment Insurance	.0048	\$130,081	\$624.39	\$624.39
	Workers Compensation	.0479	\$130,081	\$6,230.88	\$6,230.88
	Retirement	.1281	\$130,081	\$16,663.38	\$16,663.38
	Health Insurance	.1250	\$130,081	\$16,260.13	\$16,260.13
	(attach negotiated rate agreement or most recent audit)				
	Total Fringe Benefits Cost				\$39,779.00
3. Materials	Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
	Office Supplies			\$2,540.30	\$2,540.30
	Medical/Laboratory Supplies			\$1,262.75	\$1,262.75
	(provide a breakdown of any line item greater than \$10,000)				
	Total Materials Cost				\$3,803.00

Budget Summary (con't.)

EXHIBIT A, con't.

Federal Share

Detailed Description of Budget

Category	Mileage	Rate/ Mile	Estimated Cost	Total Cost
4. Travel a. Transportation (1) Local Private Vehicle				
167 miles/month x 30 months	5000	.22	\$1,100	\$1,100
4. Travel a. Transportation (2) Air/Destination	Trips	Fare	Estimated Cost	Total Cost
H/D Washington	15	\$500	\$7,500	\$7,500
4. Travel a. Transportation (3) Other/Item	Quantity	Unit Cost	Estimated Cost	Total Cost
H/D Sponsored Training			\$3,000	\$3,000
4. Travel b. Per Diem or Subsistence	Days	Rate/ Day	Estimated Cost	Total Cost
Travel Per Diem	30	\$145	\$4,350	\$4,350
Total Travel Cost				\$15,950
5. Equipment	Quantity	Unit Cost	Estimated Cost	Total Cost
Computer Equipment/Peripherals			\$6,900	\$6,900
XRF Source (provide a breakdown of any line item greater than \$10,000)	1	\$2,000	\$2,000	\$2,000
Hemocue Machine	1	\$615	\$615	\$615
Office Furniture		\$975	\$975	\$975
Total Equipment Cost				\$10,490
6. Consultants	Days	Rate/ Day	Estimated Cost	Total Cost
Legal Fees			\$2,500	\$2,500
All Project Consultants			\$11,121	\$11,121
Health & Human Services (case management)			\$8,000	\$8,000
Interpreters			\$600	\$600
Total Consultants Cost				\$22,221

Federal Share

EXHIBIT A, con't.

Detailed Description of Budget

Category				Estimated Cost	Total Cost
7. Subcontracts List individual subcontracts					
Training: Contractors/Workers	3 sessions	\$450/ session		\$1,350	\$1,350
Grants for Cleanings: estimate 120 units	120 units	\$1,750 avg per unit		\$210,000	\$210,000
Loans for Abatement: estimate 100 units	100 units	\$7,145 avg per unit		\$714,500	\$714,500
Unit Testing & Blood Screening				\$197,595	\$197,595
(detailed description of subcontracts greater than 10 percent)					
Total Subcontracts Cost					\$1,123,445
8. Other Direct		Quantity	Unit Cost	Estimated Cost	Total Cost
Administrative				\$5,287	\$5,287
Relocation: estimate 80 families		80	\$940	\$75,100	\$75,100
Total Other Direct Cost					\$80,387
9. Indirect		Rate	Base	Estimated Cost	Total Cost
Items included in materials and other direct costs.					
(attach negotiated rate agreement or most recent audit)					
Total Indirect Cost					
Total Estimated Costs					\$1,426,156

Budget Information — Non-Construction Programs

OMB Approval No. 0348-01

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. Totals		\$	\$	\$ 1,426,156	\$ 801,000	\$ 2,227,156

Section B - Budget Categories

6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) HUD Request	(2) 10% Match	(3) Sub-total	(4) Other Resources	
a. Personnel	\$ 130,081	\$ 73,816	\$ 203,897	\$ 39,184	\$ 243,081
b. Fringe Benefits	39,779	22,573	62,352		62,352
c. Travel	15,950		15,950		15,950
d. Equipment	10,490	1,400	11,890		11,890
e. Supplies	3,803		3,803		3,803
f. Contractual	1,145,666	44,827	1,190,493	619,200	1,809,693
g. Construction					
h. Other	80,387		80,387		80,387
i. Total Direct Charges (sum of 6a-6h)	1,426,156	142,616	1,568,772	658,384	2,227,156
j. Indirect Charges					
k. Totals (sum of 6i and 6j)	1,426,156	142,616	1,568,772	658,384	2,227,156
7. Program Income	\$	\$	\$	\$	\$

CATEGORY A RATING FACTORS

- 1. NEED**
- 2. WORK PLAN AND BUDGET**
- 3. COMMUNITY AND PRIVATE
SECTOR PARTICIPATION**
- 4. APPLICANT CAPACITY AND
COMMITMENT TO HAZARD
CONTROL**
- 5. ACTIONS TO
AFFIRMATIVELY FURTHER
FAIR HOUSING**

6. LEAD HAZARD CONTROL INTEGRATION

Category A

Rating Factors and Scoring

The applications will be rated according to the six technical rating factors (totalling 110 points for previously unfunded applicants; 125 points for applicants with an existing grant(s)) listed below. Applications for these two groups of grants will be evaluated separately (previously unfunded applicants will not compete against existing grantees). In addition, existing Lead Hazard Control grantees will be rated in Factor 4 on additional elements related to their performance in implementing their most recent grant award.

	Previously Unfunded	Existing Grantees
1. Need - - - - -	10 pts.	10 pts.
2. Work Plan and Budget- - - - -	50 pts.	50 pts.
3. Community and Private Sector Participation - - - - -	20 pts.	20 pts.
4. Applicant Capacity and Commitment to Hazard Control - - -	15 pts.	30 pts.
5. Actions to Affirmatively Further Fair Housing - - - - -	10 pts.	10 pts.
6. Lead-Hazard Control Integration - -	5 pts.	5 pts.
TOTAL:	110 pts.	125 pts.

Responses to Factors for Award

Please respond to each of the six Category A Rating Factor items. This NOFA limits the applicant's response to the Category A Grant Rating Factors 1,2,3,4, and 6 to **a total of twenty-five (25) pages**. Responses exceeding the 25 page maximum limit will be considered a deficiency and will be returned for corrective action. The response to Rating Factor 5 is to be included as **Appendix A** and **cannot exceed five (5) pages**.

Appendices for the response to Rating Factors 1,2,3,4, and 6 may only consist of required threshold documents such as a copy of the lead-based paint element of the Consolidated Plan, tabular scientific data validating rating factor responses, organizational chart(s), resumes, job descriptions, Memorandums of Agreement/ Understanding, letters of commitment for participating in project, and other letters of support. Supporting documentation from the Analysis of Impediment and other pertinent FHEO planning documents may be included to supplement the narrative response to Rating Factor 5.

This NOFA also includes the following specific format requirement:

Responses must be typewritten on one (1) side only on 8 1/2" x 11" paper using a 12 point font.

Within the grant resources available, HUD intends to fund the highest rated applications, but reserves the right to fund other eligible applicants to ensure that available funds are used effectively to promote the purposes of Title X.

Factor 1:

NEED (10 Points)

The applicant should document its need for assistance. Describe the scope and magnitude of the current lead-based paint problem for which grant program funds can be expected to have an impact. Responding to the following questions will address some aspects of this factor. The applicant may include other information which documents its need for assistance including using information contained in its Consolidated or Abbreviated Plans' lead-based paint element or strategy.

- p What is the number and proportion of children less than six years of age with elevated blood lead levels? What is the number and proportion of children less than six years of age at risk of lead poisoning? How was this information determined?
- p What is the age and condition of housing? If possible, please provide housing data in the following categories: pre-1940 construction, pre-1950 construction, and pre-1978 construction. What is the number and proportion of pre-1978 housing units with deteriorating interior and exterior lead-based paint, lead-contaminated dust or bare lead-contaminated soil? How was this information determined (surveys, data, etc.)?
- p What is the number and percentage of low-income families whose incomes do not exceed 50 and 80 percent of the median income for the area as determined by HUD with adjustments for smaller and larger families?
- p What other socioeconomic or environmental factors document a need to establish, continue, or expand lead hazard control work in the applicant's jurisdiction?

Factor 2:

WORK PLAN & BUDGET (50 points.)

Discuss in detail your proposed Work Plan. Describe the overall plan to conduct a comprehensive, cost-effective lead-based paint hazard control program. Develop specific time-phased and measurable tasks or activities for carrying out the program plan. Tasks generally relate to program management, community education, data collection, inspection/ testing, lead hazard control work, and relocation.

The Work Plan should emphasize and promote qualitative, efficient and cost-effective methods to: increase the overall number of housing units receiving hazard control treatment; increase the number of children benefitting from program activities; and increase the awareness and knowledge of the public about the dangers of lead poisoning and lead-based paint hazards. The Work Plan should include the following components:

A. PROGRAM MANAGEMENT (10 points):

The applicant must provide a comprehensive description of the way in which the project will be carried out during the period of performance (up to 36 months), and include a description of the participating organizations and the roles they will perform in implementing the Work Plan (including other state and local agencies, consortium associates, sub-grantees, partners, subcontractors, sub-recipients, joint venture participants, and others assisting in implementing the project). **The applicant must demonstrate (as the grantee) the substantial involvement it will have in the oversight of the participating organizations and general oversight of the grant.** The applicant must also provide a detailed description of the funding mechanism, selection process, and other proposed activities that the applicant plans to use to assist any sub-grantees or sub-recipients under this grant.

Existing grantees must provide assurance that the lead hazard control activities proposed in the application will be carried out concurrently with lead hazard control work being conducted with previously awarded HUD grant funds. A detailed description of how this will be accomplished should be provided.

Responding to the following items may address aspects of this factor:

- p Describe the arrangements between the organizations and the applicant. Are the arrangements informal or formal? Are there memoranda of understanding or agreement, contracts, or

letters of commitment?

- p Describe how grant or loan funds to be used for lead hazard control work will be administered and monitored.
- p Describe the lead-based paint contractor selection process for both the testing and the lead hazard control elements of the project. Provide a description of key activities with beginning and completion dates (i.e., When will MOU/MOAs be established? When will staff be hired? When will work begin? When will specifications be developed and bids awarded?).

B. LEAD HAZARD CONTROL STRATEGY (35 points):

Provide a comprehensive and concise discussion of your planned lead hazard control intervention strategies. **Existing grantees** must provide a complete description of their progress and accomplishments related to their original or amended lead hazard control strategy under their most recent grant award. Further, if the strategy and/or methods proposed in this application differ from the applicant's existing grant, a description of the basis for this modified strategy should be included.

Responding to the following items will be helpful in discussing your lead hazard control strategy.

- p Describe the process for the identification, prioritization, selection, and enrollment of units of eligible privately-owned housing in which risk assessment, paint inspection, and lead hazard control will be undertaken (housing having a risk assessment or inspection within 12 months of a grant award may be included in the already inspected inventory if performed in accordance with the HUD Guidelines);
- p Describe how housing stock slated for lead hazard control is prioritized. Are units selected based on:
 - p presence of EBL children under six years of age
 - p presence of children under six years of age
 - p vacant properties to be occupied by families with children under six years of age
 - p older housing (pre-1978, pre-1960, pre-1950, pre-1940)
 - p substandard housing
 - p other factors;
- p Describe the type, size and general characteristics of the eligible privately-owned housing units within your

jurisdiction, including a description of the housing's location, condition, and status of units (owner-occupied or rental) in which lead hazard control interventions are likely to be undertaken;

- p What percentage of the eligible privately-owned housing is owner occupied, rental, or vacant? Is the area of eligible privately-owned housing proposed for lead hazard control community-wide or restricted to certain census tracts? Is lead hazard control work targeted to a particular area, community or neighborhood? Are units to be included in lead hazard control work chosen on an individual unit-by-unit basis, or does your plan encompass all units in a building, community or neighborhood.
- p Describe the lead-based paint threshold utilized -- reference State statute, local ordinance, and/or the HUD Guidelines recommendation (1.0 mg/cm² or 0.5% by weight). Describe the testing methods, schedule, and costs for performing blood lead testing, housing risk assessments and/or inspections;
- p Describe the lead hazard control method(s) or combination of methods to be undertaken and the number of units to be treated for each method selected (e.g. interim controls, hazard abatement, complete abatement). Provide an estimate of the per unit costs for each method planned in conducting lead hazard control and the time frames projected to initiate and complete lead hazard control work in units selected;
- p Will clearance testing and examination, post-hazard control, and follow-up testing be conducted according to the HUD Guidelines?

Conducting interim control of lead-based paint hazards in housing may include:

-- Repairing all rotted or defective substrates that could lead to rapid paint deterioration

(Note: Though repairing defective building systems that cause substrate damage may be a prerequisite for effective interim control, lead hazard control grant funds cannot be used for repairs to major building systems. For example, while grant program funds can be used to pay for minor repairs of major building systems, they cannot be used for replacement of or major repairs to building systems. Thus,

a roof can be patched but not replaced.)

-- Paint film stabilization -- stabilizing all deteriorated lead-based paint surfaces by removing deteriorating paint and repainting.

-- Friction and impact surface treatments -- treating floors and interior window sills and window troughs so that they are smooth and cleanable.

-- Treating friction and impact surfaces, such as windows, doors, stair treads, and floors, when they are generating lead-based paint chips or excessive levels of leaded dust that cannot be controlled with ordinary cleaning.

-- Treating protruding, accessible surfaces, such as interior window sills, where lead-based paint may be present and there is either visual or reported evidence that children are mouthing or chewing on them.

-- Treating all bare soil containing excessive levels of lead.

-- Dust removal and control -- cleaning surfaces to reduce levels of leaded dust to acceptable levels.

-- Educating residents and workers on how to avoid lead exposure and poisoning.

p Using certified individuals for all testing and lead hazard control work. Describe how ongoing monitoring and/ or testing will be conducted by owners, residents or certified personnel;

p Describe the target area and/or subset of the housing stock in which lead hazard control will be performed (maps, tables, data may be included as an appendix). Provide other information to support your target area selection;

p Describe the extent to which lead hazard control work will be done in conjunction with housing rehabilitation, weatherization, code violation or other work aimed at basic system repairs. **Include the allocated costs between lead hazard control work and these other efforts;**

p Describe the applicant's previous experience in reducing or eliminating lead-based paint hazards in conjunction with other Federal, State or locally funded programs;

- p Describe proposed post-hazard control plans for units (maintenance and dust-wipe testing). Describe proposed plans for the safe and effective conduct of the hazard control work;
- p Describe the sequence and scheduling of lead hazard control dust-wipe testing to be followed (pre- and post-hazard control, including clearance testing);
- p Are certified risk assessors and inspectors used for unit testing independent of the abatement contractor?;
- p Will the funding mechanism for the lead hazard control involve the use of grants, deferred loans, forgivable loans, mortgage restrictions or private sector financing to ensure units will remain affordable? Will tax credits, rebates or other incentives be used? What organization or agency will administer the financing program? What are the qualifications of the organization or agency to do so? Describe the eligibility criteria, terms, conditions, and amounts available for financing lead hazard control work in eligible units. Describe outreach efforts to enroll investor owners, landlords and tenants.
- p What are the planned tenant relocation plans and costs? What relocation plans are envisioned for owner-occupants? Will the relocation of tenants in target housing involve the use of lead safe houses and/ or other housing arrangements, stipends, and incentives? Will costs for moving and storage of household goods and other appropriate services be budgeted?
- p Describe general and/or targeted efforts presently undertaken to assist the program in reducing lead poisoning in the applicant's jurisdiction (e.g. childhood lead poisoning prevention programs, education or public awareness campaigns).
- p Describe the proposed community awareness, education and outreach activities to be conducted in support of the applicant's work plan and objectives. Who will be responsible for ensuring that these activities are implemented? To what groups will the outreach efforts be aimed (parents, landlords, real estate brokers/agents, etc.)? Will the local medical community, non-profit housing corporations, or the public school system or others be involved? Will there be community surveys of rental property owners and managers on marketing, tenant selection

practices and knowledge of State lead-based paint removal regulations? What will be the content and format of information to be delivered or distributed? What media will be used (e.g. TV, radio, feature articles in newspapers)? To what extent will your educational outreach and enrollment programs meet the cultural or language needs of the residents? To what extent will low-income persons participate in the delivery of education and outreach services?

C. PROGRAM EVALUATION AND DATA COLLECTION (5 points):

The applicant must identify the specific methods to be used, in addition to using HUD reporting or data collection forms, to measure progress and evaluate the program's overall effectiveness. The applicant should describe how data and other program information will be obtained, documented, and shared among the various participants of the program (e.g. meetings, correspondence, reports) in order to enhance or otherwise improve program performance.

Note: Congress requires that data be collected on the dwelling units, buildings and occupants affected by the program; the results and costs of hazard evaluation and control; and any reevaluation and subsequent control actions. OMB-approved data collection forms will be provided to grantees selected.

D. BUDGET (no points):

The applicant's proposed budget will be evaluated in terms of whether it is reasonable, clearly justified, and consistent with the intended use of the grant funds. Applicants may devote 24 months for the planning and completion of lead hazard control activities and an additional 12 months for post-hazard control testing (for a 36 month period of performance). HUD is not required to approve or fund all proposed activities. All budget categories and costs (Standard Form 424A Section B and Budget Sheets) and major tasks should be thoroughly documented and justified. In addition to the completion of the SF-424A Section B, "Budget Information," applicants are requested to submit a summary of the individual cost elements reflected in the proposed budget.

While HUD recognizes that the costs are based on estimates, the summary should include detailed information on how the individual cost elements of the budget proposal are derived. Provide an explanation of the estimated budgeted cost for each program element or tasks included in the overall work plan. Program elements include:

- Program Management
- Lead Hazard Control Inspection and Testing Costs (including pre-hazard control blood lead and pre- and post-hazard control dust wipe sampling)
- Lead Hazard Control Costs, by Method Selected
 - Interim Controls
 - Hazard Abatement
 - Complete Abatement
- Relocation Costs
- Community Awareness, Education, and Outreach Costs
- Program Evaluation and Data Collection Costs

Include information such as quotes obtained from various vendors or historical data relied upon. All direct labor or salaries must be supported with time sheets or mandated city/State pay scales. All indirect cost rates must be supported by audited data which should be submitted for review.

There shall be a separate estimate for the overall grant management element, "Administrative Costs," which are more fully defined in Appendix B of the NOFA. **The budget shall include not more than 10 percent for administrative costs and not less than 90 percent for direct project elements.**

Please complete the Detailed Description of the HUD (Federal) Funds Budget Request Form using the Sample Form (Exhibit A) as a guide. Cost elements include: Direct Labor, Fringe Benefits, Travel, Equipment, Materials & Supplies, Consultants, Subcontracts, Other Direct Costs, and Indirect Costs. The narrative justification associated with these budgeted costs should be included as an attachment to the Detailed Description of the HUD (Federal) Funds Budget Request Form (the budget narrative justification is not counted as part of the 25 page limit for the rating responses).

Matching in-kind and cash contributions are to be reflected on Standard Form 424A Section B. (See Exhibit B for an example on how these costs are to be allocated).

The applicant should develop its budget request with the following items or assumptions included:

- Direct labor costs should include all full- and part-time staff required for the 24 month planning and implementation phase of grant program activities. These costs should be based on FTE or hours/year (e.g. FTE equals 2080 hours per year or local equivalent). Direct labor costs should also include the staff required for the final 12 month program evaluation and closeout period of grant activities (usually

one or two part-time staff). State or local pay scales should be attached.

- Travel expenses should be budgeted to allow for a maximum of 3 trips (of 2 to 3 days in length) to Washington, DC for a maximum of 3 individuals.
- A maximum of two XRF machines may be purchased.
- Submit as an attachment to the budget sheets, the negotiated rate agreements for fringe benefits and indirect costs, if applicable.
- Any subcontracts, subgrants, or subrecipients receiving greater than 10 percent of the total Federal budget request should provide a similar cost proposal breakout.

Factor 3: **COMMUNITY AND PRIVATE SECTOR PARTICIPATION**
(Place-based factor, 20 points.)

A. LEVEL OF PARTICIPATION (10 points)

Indicate the extent to which the applicant has enlisted the broad participation of specific **non**-governmental community and neighborhood organizations as well as the private sector (for-profit and not-for-profit entities including private banks, insurance firms, local housing agencies, community development corporations, other community-based organizations or advocacy groups), through specific commitments of time, effort, responsibilities, and resources. These groups may provide consultation, training, and employment -- especially of low-income residents. Memoranda of understanding or agreement, letters of commitment, or other documentation detailing specific information on the type and level of participation should be included. Existing grantees must provide a detailed description of their progress and accomplishments related to their efforts to enlist broad-based support and participation of the community and private sector as well as any plans to expand or enhance their efforts under this NOFA.

Detail and specify any plans to enlist the active participation of any local task forces or other groups, the timing of this participation, and the activities they will perform in the lead-based paint hazard control program. Describe any efforts that might include: the formation of broad-based lead task forces; expansion of public and private cooperation and coordination of lead hazard control program services with other revitalization efforts such as Federally designated Urban or Rural Empowerment Zones, Enterprise Communities, or Supplemental Empowerment Zones; and, implementation of programmatic responses to environmental justice issues.

The Community Reinvestment Act offers a significant and often overlooked opportunity to secure private sector financing of childhood lead poisoning prevention efforts by means of a wide variety of potential funding mechanisms. In addition, two programs exist that can make public sector funds available for the financing of lead hazard evaluation and control efforts through private sector banks: incentive- and linked-deposit programs. Applicants may refer to the publication, Innovative Financing Sources for Lead Hazard Control published by the Alliance to End Childhood Lead Poisoning for further details.

The applicant should describe other opportunities to include the private sector in lead hazard control activities.

B. PROMOTION OF ECONOMIC OPPORTUNITIES (10 points)

Provide a discussion of how employment, business development, and contract opportunities will be promoted and/or provided while pursuing the goal of lead hazard control. Include as evidence the names, descriptions and proposed roles, resources, and responsibilities of each participating group or organization, and include memoranda of understanding or agreement, letters of commitment, or other documentation detailing specific information on levels of participation and employment commitments. The applicant will be rated according to the quality and completeness of the information provided on the proposed roles of local participants.

Additionally, Section 3 of the Housing and Community Development Act of 1992 requires that, when employment or contract opportunities are generated, the recipient of HUD funding shall give preference in hiring to low- and very low-income persons, or in contracting to businesses owned by or that employ substantial numbers of low- and very low-income persons. To the greatest extent feasible, the applicant should detail how job training, employment, and other economic lift opportunities will be promoted for low-income residents and businesses which are owned by and/or employ low- and very low-income residents as defined in 24 CFR 135.5 (See 59 FR 33881, June 30, 1994).

Detail should be provided on applicant efforts -- as well as private sector and/or neighborhood-based efforts -- to develop lead hazard control capacity and build a sustainable infrastructure. Specify how these efforts and job training/employment partnerships will be accomplished.

Factor 4: APPLICANT CAPACITY AND COMMITMENT TO HAZARD CONTROL
(15 points for previously unfunded applicants; 30 points for existing grantees)

The applicant shall demonstrate that it has the authority and capability to successfully initiate and carry out the lead-based paint hazard control program within the required time frames set forth in the NOFA. Show how the skills and experience of the proposed project manager, staff, and institution match the scope of work described in the work plan and can marshal the human, financial, physical and other resources required to accomplish the program objectives.

HUD grant funds cannot be used to supplant existing resources devoted to lead hazard control work.

An existing grantee applicant must provide a description of the progress and achievements made in implementing its most recent grant award within their period of performance. Existing grantee applicants must describe their plans to concurrently implement lead hazard control activities under this NOFA with their most recent grant award.

Elements to be considered include:

A. ADMINISTRATIVE ORGANIZATION (5 points)

Describe the administrative organization of the applicant agency, including staff who will be responsible for carrying out the program. Provide a comprehensive and concise discussion of the administrative organization and the working relationship with other organizations proposed to participate in the program, especially between health and housing agencies. Describe how other principal components of the applicant agency or other organizations will participate in or otherwise support the grant program. Discuss prior and current experience of the proposed manager and staff in dealing with lead-based paint hazard control or similar projects and how they relate to the lead-based paint hazard control project. Detail the administrative experience in working with multiple levels of government. Describe the organizational and institutional experience and readiness of your jurisdiction to commence and complete the testing and hazard control program within the allocated periods of time. Discuss how the project will be managed on a day-to-day basis, and include organizational charts as an appendix.

Indicate the key personnel, their specific project responsibilities, and percentage of their time to be devoted to the project as well as any portion of salary to be paid by the

grant. **Existing grantees must explain how they plan to staff a new grant operating concurrently with an existing grant.**

Specific staff must be identified and information regarding their qualifications provided. Include as an appendix resumes and salary information for key staff. If new staff are to be recruited for the lead hazard control project, a copy of the job announcement that describes the skills, experience, proposed duties and responsibilities for each new hire should be provided as an appendix. An explanation should be provided denoting whether new hires will be contractual employees or employees of the State, county, or municipality.

B. PROJECT DIRECTOR and/or PROGRAM MANAGER (3 points)

Describe the demonstrated knowledge and experience of the overall project director and the day-to-day program manager in planning and managing large and complex interdisciplinary programs, especially involving housing rehabilitation, public health, and environmental management. A full-time day-to-day program manager, where practical, is recommended. Provide a discussion of the role of the project director and program manager in ensuring that the program will be carried out according to the proposed work plan. The applicant should describe the authority and responsibility of the Project Director and Program Manager for ensuring health and housing program coordination occurs.

C. INSTITUTIONAL CAPACITY (5 points)

Describe recent experience and the capacity of your jurisdiction to initiate and successfully implement lead hazard control efforts and/or similar environmental, health, or housing projects. Describe the prior work history of the agencies and groups that will work together under this grant, other cooperative efforts, and other lead program activities. Indicate any past experience in providing cost-effective lead-based paint hazard control activities. Include any data detailing the average per unit costs of lead hazard control work incurred under previous efforts. Indicate how this experience will be used in carrying out the planned comprehensive Lead-Based Paint Hazard Control Grant Program within the allocated periods of time.

Each applicant must carry out its hazard control program under an operational State-accredited program that is at least as protective as the training and certification program requirements outlined in Appendix E of the NOFA (see Section 4.2 d of the NOFA).

D. MATCHING CONTRIBUTION (2 points)

At a minimum, the applicant shall provide a 10 percent matching contribution of the requested grant sum. Specify the amount and sources of the minimum 10 percent matching contribution **and** the additional resources, and how they will be provided (i.e., by cash or by in-kind services or personnel). If in-kind contributions are used, attribute a monetary value and explain how they will be used in the project. Each source of contributions should be made in a letter of commitment from the contributing entity, describing the contributed resources and the monetary value. Resources directly contributed by the applicant are considered to be committed and do not require letters. Community Development Block Grant Funds are the only Federal funds that may be considered part of the 10 percent matching contribution and only to the extent that they are specifically dedicated to and integrated into the lead-based paint hazard control program. Staff in-kind contributions should be correlated with the discussion above. Absence of these letters, or inclusion of letters without adequate detail, will result in that contribution not being counted.

See sample of Standard Form 424A Section B (Exhibit B) as an example of the arrangement and allocation of line item costs for the required 10% matching contribution and other resources committed to the program.

Points for this factor will be awarded only for the amount of the net contributions that exceed the 10 percent statutory minimum.

E. PERFORMANCE-BASED CRITERIA FOR EXISTING GRANTEEES ONLY (15 points)

Existing grantees which have demonstrated measurable progress in the implementation of their most recent grant award as measured by expenditures and/or units completed will receive more favorable consideration under this factor for award relative to other existing grantees applying under this NOFA. **Progress will be judged from the starting date of the applicant's most recent lead hazard control grant award.**

The applicant should describe the achievement of specific milestones during the implementation of its program as well as its success in overcoming obstacles which confronted their program. The applicant should highlight specific instances in which the program has made a positive impact in the community. The applicant may describe any decreases noted in the number of EBL children, average blood lead levels, and dust lead levels. The applicant may describe activities which were instituted which lead to the training, certification and/or employment of low-income persons in lead hazard control work and other project

activities.

The applicant should also describe what activities were undertaken to develop the local infrastructure and its capacity to continue lead-based paint activities after the grant period of performance (e.g. contractor pool, lead policies, collaboration, integration of lead-based paint work with rehabilitation and code enforcement, etc.). The applicant may reference a response to other Rating Factors in its response to this Factor.

Factor 5: ACTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING
(10 Points)

Response should be provided separately as Appendix A and not exceed 5 pages. Narrative response will not be counted towards 25 page limitation for response to all other Rating factors. Any questions regarding the preparation of this response should be addressed to Arlene L. Halfon of the Office of Fair Housing and Equal Opportunity at (202) 708-2130, ext. 166.

Describe the strategies the applicant plans to use, within the requirements and parameters of the NOFA, to affirmatively further fair housing and environmental justice for all persons regardless of race, color, national origin, religion, sex, disability (including children with EBL), or familial status (size of family and number of children). All strategies must be applicable to lead-based paint concerns. Special consideration will be given to particularly innovative strategies that are designed to remedy the effects of identified past discrimination. Current grantees should demonstrate how the grant is currently being used to meet these identified problems and what additional activities will be undertaken with any new funding. To receive the full ten points, each of the two sub-factors listed below should be adequately addressed. **Information provided elsewhere in the narrative response to the other Rating Factors or in the Appendix need only be referenced, not repeated.**

(a) Outreach strategies and methodologies to provide lead hazard-free housing to all segments of the population: homeowners, owners of rental properties, and tenants, especially for occupants least likely to apply for or receive its benefits. Once the target population is identified (e.g.; homeowners who are racial minorities living in minority-concentrated areas or owners of properties with under-served tenants such as minority renters with large families containing young children), a multifaceted outreach strategy directed specifically to them should be implemented. This strategy should go beyond testing and hazard control to include efforts taken after the lead hazard control work is completed to ensure adequate, hazard-safe housing.

The response should identify the populations that are most in need, but least likely to apply for funding (or unlikely to have their landlords apply). The rationale for such identification should be offered (e.g.; statistics, community attitudes, Analysis of Impediments -- AI, etc.). Strategies to reach the specific populations identified should then be discussed. It is necessary that a connection be made between identifying the population in greatest need of the service and getting this

priority population to apply. Strategies should be specific to the particular community, based on the community's identified problems and needs. The applicant should discuss how these strategies will be continued once the period of the grant is completed.

The following are examples of suggested strategies; none are required: (1) General outreach, to encourage participation from those who would ordinarily not apply. Outreach could be directed not only to homeowners and landlords to advise them of the availability of testing and hazard control, but also directly to tenants, especially those identified as not likely to receive benefits, who could then advise their landlords of the program; (2) Educating the public about issues of environmental justice; (3) Affirmative marketing of units found to be lead hazard free or which have been treated, to appropriately-sized families; (4) Using grants or forgiving loan payments for landlords who rent lead- or hazard- free units to populations which are identified and "targeted"; and/or (5) Increased investigative efforts by the Jurisdiction to enforce the Fair Housing Act against owners of large rental units who intentionally avoid making such units lead-safe in order to discourage occupancy by families with young children.

(b) Demonstrate (1) how the lead hazard control grant funding would be used in conjunction with the State or local government's Fair Housing Planning strategy to overcome any identified impediment to fair housing choice, which pertains to lead-based paint, and (2) how experience with this program will be used to update the Fair Housing Planning strategy. Specific impediments, plans for correcting the identified impediments, and planned updates to the AI should be described.

The response should focus on identification of lead-based paint issues as an impediment to fair housing choice in the AI. Where lead-based paint has been identified as an impediment, relevant information from the AI should be incorporated into the application along with action strategies which may have already been specified. If lead-based paint issues have not been previously identified in the AI and Fair Housing Plan, specify the reasons they were not mentioned and how the applicant plans to update the AI to incorporate them. In the case of communities which are not required to perform AIs, other existing planning documents and relevant fair housing strategies (as they affect lead-based paint issues) may be submitted and quoted in lieu of the AI; the community may also specify new strategies it plans to take even if grant funding is not received.

Factor 6: **LEAD-HAZARD CONTROL INTEGRATION** (5 Points)

Provide evidence and/or develop a specific plan outlining what actions the applicant has taken or will take to integrate lead-based paint hazard control into ongoing housing, health and environmental programs that will continue after the grant is completed. Applicants should review the Lead-Based Paint Hazard Reduction and Financing Task Force report: Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing (see NOFA, Appendix A). As noted in the Task Force report, lead hazard control integration plans may include: (1) incorporating lead-based paint maintenance and hazard control standards into housing codes and health regulations; (2) incorporating lead-based paint hazard control with other housing rehabilitation or code violation activities; (3) the use of public subsidies or other resources; (4) developing public-private partnerships to finance lead hazard control as part of acquisition and rehabilitation financing; (5) the use of revolving loan funds to finance future lead hazard control activities; and (6) the development and maintenance of a registry of lead-safe units with valid documentation of compliance with standards of lead hazard control and the process by which children are matched to lead safe units.

Existing grantees must provide a description of the efforts they have undertaken to integrate lead hazard control activities beyond the duration of their currently funded program and how they plan on continuing and enhancing such efforts in the future.

Miscellaneous Attachments to Rating Factors

Attach any miscellaneous items or documents to the application which support or are part of your lead-based paint hazard control program application. These appendices should be limited to maps, data tables, documents and forms that **directly** pertain to your proposed lead-based paint hazard control project and **must be either specifically referenced and/or requested in responding to the factors for award**. Additional narrative explanation for the Rating Factors is not acceptable. Information, materials, and documents which do not, in HUD's sole opinion, meet these requirements will not be considered in the application review.

Section II. Administrative Provisions

A. Obligation of funds

(a) Provision of funds. Funding shall be provided on a cost-reimbursable basis not to exceed the amount of the grant, except as otherwise provided in Sections 9.2 and 9.3 of the NOFA.

(b) Availability of funds. All payments will be made on a cost-reimbursable basis, except that a one (1) percent final payment shall be made upon completion of all tasks and the delivery and acceptance of the final report by the Government Technical Representative.

HUD will release funds for the inspection of units and for conducting the lead hazard control phase (interim controls, hazard abatement, or complete abatement) of the program after the grantee has submitted and secured HUD approval of HUD Form 7015.15 (Request for Release of Funds and Certification) which certifies that the grantee has fulfilled the environmental review requirements of the grant.

B. Increases of awards

After executing the grant agreement and initial obligation of funds, HUD will not increase the grant sum or the total amount to be obligated based upon the original scope of work. Amounts awarded may only be increased as provided in section 9.3, Deobligation, of the NOFA.

C. Deobligation

(a) Reasons for deobligation. HUD may deobligate amounts for the grant if proposed activities are not initiated or completed within the required time after the award effective date. The grant agreement will set forth in detail other circumstances under which funds may be deobligated and other sanctions imposed.

(b) Treatment of deobligated funds. HUD may undertake either or both of the following actions:

(1) Readvertise the availability of funds that have been deobligated under this section in a new NOFA; or

(2) Choose additional applications which were submitted in response to this NOFA in accordance with the selection process described in Sections 4.1 and 7.3 of this NOFA.

D. Reports

The grantee shall submit the following types of reports:

(a) Progress Reports. The grantee shall submit quarterly progress reports in accordance with the HUD Project Management System and Office of Lead Hazard Control policy. These progress reports shall include expenditure reports and a narrative describing important events, milestones, work plan progress, and problems encountered during the period covered. Grantees will be provided the applicable forms and reporting instructions.

(b) Final Report. The grantee shall submit a final report in accordance with the procedures of the HUD Project Management System and Office of Lead Hazard Control policy. The report shall summarize the applicant's plans, execution of the plans, achievements noted, and lessons learned. The report need not be lengthy, but should be of a quality and detail to provide a free-standing description to any outside reader of all of the applicant's work and achievements under the grant.

Section III. Correction to Deficient Grants:

HUD will notify an applicant, in writing, shortly after the expiration of the NOFA response deadline of any minor deficiencies in the application that are not of a substantive nature, such as an omitted certification or illegible signature. The applicant shall submit corrections which must be received at the Office of Lead-Based Paint Abatement and Poisoning Prevention within 21 calendar days from the date of HUD's letter notifying the applicant of any minor deficiencies. Electronic (FAX) transmittal is not an acceptable transmittal mode. Corrections to minor deficiencies will be accepted within the 21 day time limit. APPLICANTS WHO DO NOT MAKE TIMELY RESPONSE TO REQUESTS FOR DEFICIENCY CORRECTIONS SHALL BE REMOVED FROM FURTHER CONSIDERATION FOR AWARD.

Applicants will only be permitted to correct those deficiencies determined by HUD to be minor. Deficiencies determined by HUD to be substantive may not be corrected.

Section IV. Environmental Review

In accordance with the Multifamily Housing Property Disposition Reform Act of 1994, HUD regulations in 24 CFR Part 58 provide

that recipients of lead-based paint hazard control grants will assume Federal environmental review responsibilities. Recipients of a grant under this NOFA will be given guidance in carrying out these responsibilities.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implements Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the General Counsel, Rules Docket Clerk, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 10276, Washington, D.C.

Section V. Legislative Authority

Grants are authorized under Section 1011, Subsection (a) through (f), of the Residential Lead-Based Paint Hazard Reduction Act of 1992, Public Law 102-550, (also known as "Title X"), signed into law on October 28, 1992, and the Department of Veterans Affairs, Housing and Urban Development and the Independent Agencies Appropriation Act of 1997 (Public Law 104-204).

REQUEST FOR GRANT
APPLICATION
1997

LEAD-BASED PAINT
HAZARD CONTROL
IN PRIVATELY-OWNED
HOUSING
GRANT PROGRAM

CATEGORY B
APPLICATION PACKAGE

CATEGORY B

LEAD-BASED PAINT HAZARD CONTROL IN PRIVATELY-OWNED HOUSING GRANT PROGRAM

Acknowledgement of Category B Application Receipt

To be completed by the Applicant:

Provide applicant name and address in the box below in order for HUD to acknowledge receipt of the application by the application deadline:

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* * * * *
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To Be Completed by HUD:

----- Your Category B application was received by HUD by the application deadline and will be considered for funding under the Lead-Based Paint Hazard Control in Privately-Owned Housing Grant Program. Section 103 of the 1989 HUD Reform Act requires that no information be released by HUD regarding the relative standing of any application until funding announcements are made. However, you may be contacted by HUD after initial screening of your application to permit you to correct minor deficiencies. You will have 21 days from the date of the HUD letter to correct the minor deficiencies in the application noted in that letter. (See Section III for details)

----- Your Category B application was not received by HUD by the application deadline; therefore, your application will not receive consideration for funding for a Lead-Based Paint Hazard Control in Privately-Owned Housing grant and, therefore, is being returned herewith.

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Date of Receipt	* Processor's Name
	*
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Category B

Lead-Based Paint Hazard Control in Privately-Owned Housing Grant Program: General Instructions and Guidelines for Applicants

General Instructions: This Request for Grant Application (RFGA) should be used to apply for a Category B Lead-Based Paint Hazard Control in Privately-Owned Housing grant. **Section I** constitutes the Application Submission Package.

The Notice of Funding Availability (NOFA) is found at the back of this application package and should be read before preparing the application.

1. Purpose: Category B provides funds for two Federal government agencies -- HUD and EPA -- to work cooperatively to reduce lead hazards to children. This category provides funds to control lead-based paint hazards at Superfund sites where Superfund dollars will be spent to control lead in soil hazards and HUD dollars will be spent to control lead-based paint hazards in residences.

In addition, for the first time, HUD is expanding the scope of Category B to include Brownfield sites. HUD hopes that by making funds available for use at Brownfield sites, the Department can fulfill an important part of its mission to provide safe, affordable housing. By including Brownfields, the Department is continuing another successful partnership with EPA that it began last year with the development of Category B. This partnership has enabled State and local governments to combine Federal programs to remedy specific problems, cutting across traditional program boundaries. This NOFA is an example of how HUD and EPA are working together to enable communities to determine how best to solve specific problems in their own jurisdictions.

For purposes of this NOFA, an eligible Brownfield site is one where the State or local government has made the Brownfield designation; there are one or more buildings that will be converted into low-income family residential units; the buildings to be converted are likely to have lead-based paint hazards that must be controlled and that the residential units will be for income eligible families.

Approximately 4 million dollars will be available in awards ranging from \$500,000 to \$2 million available to each grantee.

The amounts are for the total, multiyear work of a proposed project. Grants are authorized under section 1011(a)-(f) of Title X of the Housing and Community Development Act of 1992.

The purposes of this program include:

- (a)(1) To demonstrate that Potentially Responsible Parties (PRPs), State and local governments, and other affected parties such as low-income residents can work together to maximize benefits both from Superfund actions and other lead-based paint hazard control activities. (A Potentially Responsible Party (PRP) is defined by Superfund as any individual or entity including owners, operators, transporters or generators who may be liable under section 107(a) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA)).
- (2) To address the difficult urban housing problems at Brownfield sites that have been passed over for development and to demonstrate how HUD and EPA, together with State and local governments and the private sector can work to solve this problem.
- (b) To promote job training, employment, and other economic lift opportunities for low-income residents and businesses as defined in 24 CFR 135.5 (see 59 FR 33881, June 30, 1994, and Category A Section 3.1(d) of this NOFA).

2. Eligibility: This is a competitive grant program limited to a State or unit of local government that has a currently approved consolidated plan. A matching contribution of 10 percent of the requested grant is also required. Applicants with outstanding findings of civil rights violations are not eligible for funding.

Applicants must also meet a number of Threshold Requirements as specified in Section 4.2 of the NOFA, and demonstrate that they have the legal authority and executive capability to carry out lead hazard control activities associated with this program.

Status of Superfund remediation. Jurisdictions are eligible only if remediation activity was completed within 18 months of the application submission deadline date, or the jurisdiction has a Record of Decision with a completion date for the remediation work of no more than three years from the date of application submission deadline date, or the site is undergoing remedial action or will undergo removal action within 18 months after the application submission deadline date.

Brownfield sites. Jurisdictions are eligible where the State or

local Government has made the Brownfield designation; there are one or more buildings that will be converted into residential units; the buildings to be converted are likely to have lead-based paint hazards that must be controlled; and the residential units will be for income eligible families.

Grant funds shall only be available for projects in which lead-based paint hazard control work is conducted by contractors, risk assessors, inspectors, workers and others engaged in lead-based paint activities who meet the requirements of a State Lead-Based Paint Contractor Certification and Accreditation Program that is at least as protective as the Federal certification program standards outlined in Appendix E of this NOFA.

Under Category B, all eligible applicants compete equally, regardless of previous awards under the HUD Lead-based Paint Hazard Control grant program. However, applicants are advised that in selecting grantees under this NOFA, the Secretary or his designee is unlikely to select applicants that were previously funded under Category B of the FY 1996 NOFA (Round Four), issued May 14, 1996 (61 FR 24408).

3. Eligible Hazard Control Activities: Grant funds to identify and control the hazards of lead-based paint in eligible housing constructed before 1978 can be used for the following direct and support activities.

DIRECT ACTIVITIES

- a. Performing risk assessments, inspections and testing of eligible housing units constructed prior to 1978 to determine the presence of lead-based paint, lead dust, or lead-contaminated soil through the use of acceptable testing procedures.
- b. Conducting lead hazard control activities which may include any combination of the following:
 - Interim control of lead-based paint hazards in housing;
 - Hazard abatement for programs that apply a differentiated set of resources to each unit, dependent upon conditions of the unit and the extent of hazards; and
 - Complete abatement of lead-based paint or lead-based paint hazards, including soil and dust, by means of removal, enclosure, encapsulation, or replacement

methods.

- c. Carrying out temporary relocation of families and individuals during the period in which hazard control is conducted and until the time the affected unit receives clearance for reoccupancy.
- d. Conducting pre-hazard control blood lead testing of children under six years of age residing in units undergoing risk assessment, inspection or hazard control.
- e. Performing blood lead testing and air sampling to protect the health of the hazard-control workers, supervisors and contractors.
- f. Undertaking other housing rehabilitation activities under this program that are specifically required to ensure effective hazard control, and without which, the hazard control could not be effected. Grant funds from this program may also be used for lead-based paint hazard control work conducted in conjunction with other housing rehabilitation programs.
- g. Conducting pre- and post-hazard control dust-wipe testing and analysis.
- h. Carrying out engineering and architectural activities that are necessary to, and in direct support of, lead hazard control.
- i. Providing training to low-income persons for the purposes of lead-based paint worker or contractor certification and/or licensing or other activities associated with the prevention of lead poisoning in young children.
- j. Conducting general or targeted community awareness or education programs on lead hazard control and lead poisoning prevention. This activity could also include educating owners of rental properties to the provisions of the Fair Housing Act. It would also include making all materials available in alternative formats for persons with disabilities (e.g.; braille, audio, large type), upon request.

- k. Securing liability insurance for lead hazard control activities.
- l. Supporting the data collection, analysis, and evaluation of grant program activities. This eligible project activity includes compiling and delivering such data as may be required by HUD. For estimating purposes, an applicant should consider devoting 3 percent of the total grant sum for this purpose (This 3 percent does not include blood and environmental testing costs). Note that this activity is not included in administrative costs, for which there is a separate 10 percent limit.
- m. Preparing a final report at the conclusion of grant activities.

SUPPORT ACTIVITIES

- a. Administrative costs (maximum 10 percent). See Appendix B of this NOFA for definition.
- b. Program planning and management costs of sub-grantees and other sub-recipients.

INELIGIBLE ACTIVITIES

- a. Purchase of real property.
- b. Purchase of capital equipment having a per unit cost in excess of \$5,000, except for XRF analyzers. If purchased, capital equipment and the XRF analyzers shall remain the property of the grantee at the conclusion of the project. Funds may be used, however, to lease equipment specifically for the Lead-Based Paint Hazard Control Grant program. If leased equipment, other than XRF analyzers, becomes the property of the grantee as the result of a lease arrangement, the leased equipment becomes the property of the grantee at the end of the grant period.
- c. Chelation or other medical treatment costs related to children with elevated blood lead levels. Non-federal funds used to cover these costs may be counted as part of the required matching contribution.

4. Maximum Assistance and Local Contributions: Approximately \$4 million is available to fund a maximum of 8 Category B grants. Grants will range between \$500,000 and \$2 million. As a minimum

eligibility requirement, applicants shall provide a cash and/or in-kind match of at least 10 percent of the requested grant amount. The grant amount requested is to be a single overall request for the maximum 36 month period of performance.

5. Completion of Work: It is anticipated that applicants will complete project activities in 36 months.

6. Application Deadline. The deadline for receipt of applications for the Category B Lead-Based Paint Hazard Control Grant Program is 3:00 P.M. Eastern Time, Tuesday, August 5, 1997. This is the date specified in the Notice of Funding Availability (NOFA) published in the Federal Register. Applications must be submitted complete, and on-time as required in the NOFA. Applications received after the deadline established will be ineligible for consideration.

Submit an **original** and **five copies** of your Category B application package to:

U.S. Department of Housing and Urban Development
Office of Lead Hazard Control
Attn: Ms. Melissa Shapiro
451 7th Street, SW, Room B-133
Washington, D.C. 20410

7. Final assembly of an Application Package. Section I (Application Submission Package) provides all the pages, forms, certifications, and attachments necessary to apply for an award under this RFGA. The applicant should assemble the application package in the order shown in the Checklist and Table of Contents, number each page, and tab each section sequentially. Denote the appropriate page number on the Checklist and Table of Contents sheet that is to be included with the submission. **The response to Rating Factor e cannot exceed 5 pages.** Additional supporting documentation from the Analysis of Impediment and other pertinent FHEO planning documents may be included as an appendix to supplement the narrative response to Rating Factor e.

Section II (Administrative Provisions) pertains to those applicants who are selected for an award. This section outlines the procedures HUD will follow in providing funds to recipient organizations and in administering the grant. See Appendix B in the NOFA for guidance on defining administrative costs. Full details will be included in the Grant Agreement.

8. Corrections of Minor Deficiencies. As noted in Section III of this application package, HUD will notify an applicant, in writing, of any minor deficiencies such as a missing

certification or a missing signature in the application. Failure to respond to the minor deficiencies within the allotted 21 days will result in the application not being considered for funding.

9. Late Applications, Modifications of Applications, and Withdrawals of Applications

- (a) Any application received at the office designated in the solicitation after the exact date and time specified for receipt will not be considered.
- (b) Hand-delivered applications must be received in the designated office by the application deadline date and time (documentation is the notation on the application wrapper of the time and date received by the designated office).
- (c) Facsimiles and electronically transmitted applications are not authorized and are not acceptable.
- (d) Any modification of an application is subject to the same conditions as in paragraphs (a), (b), and (c) of this provision.
- (e) Applications may be withdrawn by written notice, facsimile or telegram (including mailgram) received at any time prior to award. Applications may be withdrawn in person by an applicant or their authorized representative, provided their identity is made known and they sign a receipt for the application prior to award.

10. Further Information. If you have any questions regarding your application or any other aspect of the Category B grant program, call Melissa Shapiro at (202) 755-1785, ext. 153. (This is not a toll-free number).

Findings and Certifications

A. Consolidated Plan.

To be considered an eligible applicant for this grant program, applicants must have a current HUD-approved Consolidated Plan.

RESPONSE

Applicants are to submit documentation that they have a current HUD-approved Consolidated Plan. Applicants are to include, as an appendix to the proposal, a copy of the lead-based paint element included in the Consolidated Plan.

Applicants that do not have a currently approved Consolidated Plan (typically non-entitlement communities), but are otherwise eligible for this grant program, must include the abbreviated Consolidated Plan which includes a lead-based paint hazard control strategy developed and submitted in accordance with 24 CFR 91.235. If applicable, provide a copy of the signed cover letter submitted to the HUD field office as evidence of submission of the abbreviated Consolidated Plan. Applicants are to include, as an appendix to the proposal, the lead-based paint hazard control strategy included in the abbreviated Consolidated Plan.

B. Section 102 of the HUD Reform Act -- Documentation and Public Access Requirements -- Applicant/Recipient Disclosures:

Documentation and public access requirements. HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its Federal Register notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the Federal Register on January 16, 1992 (57 FR 1942), for further information on these documentation and public access requirements.)

Disclosures. HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Applicant disclosures -- will be

made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. (See 24 CFR part 12, subpart C, and the notice published in the Federal Register on January 16, 1992 (57 FR 1942), for further information on these disclosure requirements.)

Applications submitted in response to this NOFA are subject to disclosure under the Freedom of Information Act (FOIA). To assist the Department in determining whether or not to release information contained in an application in the event a FOIA request is received, applicants may, by clearly identifying or otherwise indicating those portions of their applications which they believe should not be disclosed.

While an applicant's advice will be considered by the Department in its determination whether to release requested information or not, it must be emphasized that the Department is required by the FOIA to make an independent evaluation as to the information, notwithstanding the applicant's views. It is suggested that, if an applicant believes that confidential treatment is appropriate, the basis for this view should be provided, where possible, because general assertions or blanket requests for confidentiality, without more information, are not particularly helpful to the Department in making determinations concerning the release of information under the Act. It should also be noted that the Department is required to segregate disclosable information from non-disclosable items, so particular care should be taken in the identification of each portion for which confidential treatment is requested. An applicant's views concerning confidentiality will be used solely to aid the Department in preparing its response to FOIA requests. Further, applicants should note that the presence or absence of such comments or earmarking regarding confidential information will have no bearing whatsoever on the evaluation of applications submitted pursuant to this solicitation, nor will the absence of this earmarking automatically result in greater disclosure.

RESPONSE

Please enclose with your application submission a completed copy of the HUD Form 2880 Applicant/ Recipient Disclosure/ Update Report.

C. Prohibition Against Lobbying Activities

Applicants for funding under this NOFA are subject to the provisions of Section 319 of the Department of Interior and Related Agencies Appropriations Act for FY 1991, 31 U.S.C. Section 1352 (the Byrd Amendment) and to the provisions of the

Lobbying Disclosure Act of 1995, P.L. 104-65 (December 19, 1995). The Byrd Amendment, which is implemented in regulations at 24 CFR Part 87, prohibits applicants for and recipients and sub-recipients of Federal contracts, grants, loans, cooperative agreements, and loan insurance or guarantees from using appropriated funds to attempt to influence Federal Executive or Legislative officers or employees in connection with obtaining such assistance, or with its extension, continuation, renewal, amendment or modification. In addition, applicants for and recipients and sub-recipients of Federal contracts, grants, loans, cooperative agreements, and loan insurance or guarantees above certain monetary amounts must file either a certification stating that they have not made and will not make any prohibited payments or a statement disclosing any prohibited payments or agreements to make such payments.

The Lobbying Disclosure Act of 1995, P.L. 104-65 (December 19, 1995), which repealed Section 112 of the HUD Reform Act and resulted in the elimination of the regulations at 24 CFR Part 86, requires all persons and entities who lobby covered Executive or Legislative Branch officials to register with the Secretary of the Senate and the Clerk of the House of Representatives and file reports concerning their lobbying activities.

RESPONSE

If applicable, please complete Disclosure of Lobbying Activities - Form SF-LLL included in this application package. If not applicable, please indicate on Table of Contents Checklist.

D. Drug-Free Workplace Requirements

Instructions for Certification

1. By submitting this application, the applicant is providing the certification set forth below.

2. The certification set forth below is a material representation of fact upon which reliance will be placed if HUD awards a grant to the applicant. If it is later determined that the applicant knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.

Certification Regarding Drug-Free Workplace Requirements

The applicant certifies that it will provide a drug-free

workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about --

(1) the dangers of drug abuse in the workplace;

(2) the applicant's policy of maintaining a drug-free workplace;

(3) any available drug counseling, rehabilitation, and employee assistance programs; and

(4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --

(1) abide by the terms of the statement; and

(2) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notifying HUD within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --

(1) taking appropriate personnel action against such an employee, up to and including termination; or

(2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for

such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

RESPONSE

The applicant shall insert in the space provided on the Certification and Assurance Form (**Item m**) the site(s) for the performance of work done in connection with this grant program.

E. Procurement Standards

All grantees are governed by and should consult 24 CFR sections 85.36 and 85.37, which implement OMB Circular A-102 and detail the procedures for subcontracts and sub-grants by States and local governments. Under § 85.36, which pertains to subcontracts, small purchase procedures can be used for contracts up to \$100,000, and require price or rate quotations from several sources (three is acceptable); above that threshold, more formal procedures are required (note that § 85.36 treats States differently than local governments). Section 85.37 procedures apply to sub-grants, and are not as restrictive. If States have more restrictive standards for contracts and grants, the State standards can be applied. All grantees should consult and become familiar with §§ 85.36 and 85.37 before issuing subcontracts or sub-grants.

F. Davis-Bacon Act

The Davis-Bacon Act does not apply to this program. However, if grant funds are used in conjunction with other Federal programs in which prevailing wage rates apply, then Davis-Bacon provisions would apply to the extent required under the other Federal programs.

G. Prohibition Against Advance Information on Funding Decisions

HUD's regulation implementing Section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a) (Reform Act), codified at 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of successful applicants.

HUD employees involved in the review of applications and in the making of funding decisions are restrained by part 4 from providing advance information to any person (other than an

authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics-related questions should contact the HUD Office of Ethics (202) 708-3815 (this is not a toll-free number). Any HUD employee who has specific program questions, such as whether particular subject matter can be discussed with persons outside the Department, should contact the appropriate Field Office Counsel or Headquarters Counsel for the program to which the question pertains.

H. Federalism Executive Order

The General Counsel, as the Designated Official under Section 8(a) of Executive Order 12612, Federalism, has determined that the policies and procedures contained in this NOFA will not have substantial direct effects on States or their political subdivisions, or the relationship between the federal government and the States, or the distribution of power and responsibilities among the various levels of government. Under this NOFA, grants will be made for the control of lead-based paint and lead-dust hazards in low-income, owner-occupied units and privately-owned, low-income rental units. Although the Department encourages States and local governments to initiate or expand lead-based paint certification, testing, abatement, and financing programs, any action by a State or local government in these areas is voluntary. Because action is not mandatory, the NOFA does not impinge upon the relationships between the Federal Government, and State and local governments, and the notice is not subject to review under the Order.

I. Family Executive Order

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this document will likely have a beneficial impact on family formation, maintenance and general well-being. The NOFA, insofar as it controls lead-based paint hazards in privately-owned housing, will assist in preserving decent housing stock for low-income resident families. Accordingly, since the impact on the family is beneficial, no further review is necessary.

J. Debarred and Suspended Applicants

HUD shall not award an assistance instrument to any applicant

that is debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549. Prior to award, HUD shall check the General Services Administration's Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs. Any applicant found to be on that list shall be ineligible for an award under this RFGA.

CATEGORY B

LEAD-BASED PAINT HAZARD CONTROL IN PRIVATELY- OWNED HOUSING GRANT PROGRAM

SECTION I. APPLICATION SUBMISSION PACKAGE

Transmittal Letter

Prepare a brief letter applying for the grant and signed by the Chief Executive or authorized official. The transmittal letter should indicate the applicant agency, the amount of the grant requested, the amount of cash or in-kind matching contributions and the number of units in which lead hazard control will be conducted. Also include the name and telephone number of the individual to contact for further information pertaining to the application.

Applicant Abstract

Prepare a brief (**two page maximum**) abstract describing:

- 1) your jurisdiction, and
- 2) the proposed lead-based paint hazard control project

Include the following items, and be specific and concise:

- demographic, socio-economic and housing characteristics of neighborhood(s) selected for hazard control activities, particularly housing with significant lead-based paint hazards likely to be included as eligible housing units in this project, and the extent of elevated blood lead levels among children under 6 years of age;
- your prior activities, experience and achievements in residential lead-based paint hazard control work, including testing and treatment methods, and collaboration with other agencies;
- the scope and magnitude of the proposed hazard control project work plan to include: the area selected, number of units, its intended beneficiaries, and the projected impact on the neighborhood/jurisdiction. Include information on the proposed lead hazard control interventions, treatment method(s) and costs;
- the work plan for implementing how the proposed project will be carried out, the time period, number of units to be treated, total project cost; and relocation plans and community awareness, education, and outreach activities.

Standard Form 424: Application for Federal Assistance

Prepare a Standard Form 424. The SF-424 must be signed by the Chief Executive Officer or an official authorized to sign for the applicant organization(s).

In addition, the SF-424 shall provide the name, title, address, and telephone number of the individual(s) authorized to negotiate on behalf of the applicant and accept all assistance provided, and who may be contacted during the period of proposal evaluation.

Attach a completed and properly signed copy of Standard Form 424 and a 424A to the application.

CATEGORY B

APPLICATION FORMS

- ⚙ SF-424
- ⚙ SF-424A Section B
- ⚙ Detailed Description of HUD (Federal)
Funds Budget Request
- ⚙ SF-424B
- ⚙ Certifications and Assurances
- ⚙ HUD 2880
- ⚙ SF-LLL

Application for Federal Assistance

OMB Approval No. 0348-0043

1. Type of Submission: <table style="width: 100%;"><tr><td style="width: 50%;">Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction</td><td style="width: 50%;">Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction</td></tr></table>		Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. Date Submitted		Applicant Identifier																							
		Application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction																										
		3. Date Received by State		State Application Identifier																									
4. Date Received by Federal Agency		Federal Identifier																											
5. Applicant Information																													
Legal Name			Organizational Unit																										
Address (give city, county, State, and zip code):			Name, telephone number, and facsimile number of the person to be contacted on matters involving this application (give area codes)																										
6. Employer Identification Number (EIN): <table style="width: 100%;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>													7. Type of Applicant: (enter appropriate letter in box) <table style="width: 100%;"><tr><td style="width: 50%;">A. State</td><td style="width: 50%;">H. Independent School Dist.</td></tr><tr><td>B. County</td><td>I. State Controlled Institution of Higher Learning</td></tr><tr><td>C. Municipal</td><td>J. Private University</td></tr><tr><td>D. Township</td><td>K. Indian Tribe</td></tr><tr><td>E. Interstate</td><td>L. Individual</td></tr><tr><td>F. Intermunicipal</td><td>M. Profit Organization</td></tr><tr><td>G. Special District</td><td>N. Other (Specify):</td></tr></table>			A. State	H. Independent School Dist.	B. County	I. State Controlled Institution of Higher Learning	C. Municipal	J. Private University	D. Township	K. Indian Tribe	E. Interstate	L. Individual	F. Intermunicipal	M. Profit Organization	G. Special District	N. Other (Specify):
A. State	H. Independent School Dist.																												
B. County	I. State Controlled Institution of Higher Learning																												
C. Municipal	J. Private University																												
D. Township	K. Indian Tribe																												
E. Interstate	L. Individual																												
F. Intermunicipal	M. Profit Organization																												
G. Special District	N. Other (Specify):																												
8. Type of Application: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify):			9. Name of Federal Agency:																										
10. Catalog of Federal Domestic Assistance Number: <table style="width: 100%;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table> Title:									11. Descriptive Title of Applicant's Project:																				
12. Areas Affected by Project (cities, counties, States, etc.):																													
13. Proposed Project:			14. Congressional Districts of:																										
Start Date		Ending Date	a. Applicant		b. Project																								
15. Estimated Funding:			16. Is Application Subject to Review by State Executive Order 12372 Process?																										
a. Federal	\$.00	a. Yes This preapplication/application was made available to the State Executive Order 12372 Process for review on: Date: _____																										
b. Applicant	\$.00	b. No <input type="checkbox"/> Program is not covered by E.O. 12372																										
c. State	\$.00	or <input type="checkbox"/> Program has not been selected by State for review.																										
d. Local	\$.00	17. Is the Applicant Delinquent on Any Federal Debt?																										
e. Other	\$.00	<input type="checkbox"/> Yes If "Yes," explain below or attach an explanation <input type="checkbox"/> No																										
f. Program Income	\$.00																											
g. Total	\$.00																											
18. To the best of my knowledge and belief, all data in this application/preapplication are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.																													
a. Typed Name of Authorized Representative			b. Title		c. Telephone Number																								
d. Signature of Authorized Representative					e. Date Signed																								

Instructions for the SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, D.C. 20503. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item	Entry	Item	Entry
1.	Self-explanatory.	12.	List only the largest political entities affected (e.g., State, counties, cities).
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	13.	Self-explanatory.
3.	State use only (if applicable).	14.	List the applicant's Congressional District and any District(s) affected by the program or project.
14.	If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.
5.	Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
7.	Enter the appropriate letter in the space provided.	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
8.	Check appropriate box and enter appropriate letter(s) in the space(s) provided: <ul style="list-style-type: none">– "New" means a new assistance award.– "Continuation" means an extension for an additional funding budget period for a project with a projected completion date.– "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.		
9.	Name of Federal agency from which assistance is being requested with this application.		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.		
11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.		

Budget Information — Non-Construction Programs

OMB Approval No. 0348-0044

Section A - Budget Summary						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. Totals		\$	\$	\$	\$	\$

6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$	\$	\$	\$	\$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)					
j. Indirect Charges					
k. Totals (sum of 6i and 6j)					

7. Program Income	\$	\$	\$	\$	\$
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Section C - Non-Federal Resources

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) Totals
8.	\$	\$	\$	\$
9.				
10.				
11.				
12. Total (sum of lines 8 - 11)	\$	\$	\$	\$

Section D - Forcasted Cash Needs

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$	\$	\$	\$	\$
14. Non-Federal					
15. Total (sum of lines 13 and 14)	\$	\$	\$	\$	\$

Section E - Budget Estimates of Federal Funds Needed for Balance of the Project

(a) Grant Program	Future Funding Periods (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. Total (sum of lines 16-19)	\$	\$	\$	\$

Section F - Other Budget Information

21. Direct Charges	22. Indirect Charges
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23. Remarks

Instructions for the SF-424A

Public Reporting Burden for this collection of information is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0044), Washington, D.C. 20503. Do not send this completed form to this addressee.

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the later case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a-k of Section B.

Section A. Budget Summary Lines 1-4 Columns (a) and (b)

For applications pertaining to a **single** Federal grant program (Federal Domestic Assistance Catalog number) and **not requiring** a functional or activity breakdown, enter on Line 1 under Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a **single** program **requiring** budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in **Column** (a) and the respective catalog number on each line in Column (b).

For applications pertaining to **multiple** programs where one or more programs **require** a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not

provide adequate space for all breakdown of data required. However, when more than one sheet is used, the first page should provide the summary totals by programs.

Lines 1-4, Columns (c) through (g)

For new applications, leave Columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Columns (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5—Show the totals for all columns used.

Section B. Budget Categories

In the column headings (a) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1-4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements

for funds (both Federal and non-Federal) by object class categories.

Lines 6a-i—Show the totals of Lines 6a to 6h in each column.

Line 6j—Show the amount of indirect cost.

Line 6k—Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total amount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)-(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7—Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal Resources

Lines 8-11—Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a)—Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b)—Enter the contribution to be made by the applicant.

Column (c)—Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d)—Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e)—Enter totals of Columns (b), (c), and (d).

Line 12—Enter the total for each of Columns (b)-(e). The amount in Column (e) should be equal to the amount on Line 5, Column (f) Section A.

Section D. Forecasted Cash Needs

Line 13—Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14—Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15—Enter the totals of amounts on Lines 13 and 14.

Section E. Budget Estimates of Federal Funds Needed for

Balance of the Project

Lines 16-19—Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) to funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20—Enter the total for each of the Columns (b)-(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21—Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22—Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23—Provide any other explanations or comments deemed necessary.

Budget Summary

Federal Share

Name and Address of Applicant: _____

Detailed Description of Budget

Category		Estimated Hours	Rate/ Hour	Estimated Cost	Total Cost
1. Direct Labor	Position or Individual				
Total Direct Labor Cost					
2. Fringe Benefits	Category	Rate	Base	Estimated Cost	Total Cost
Total Fringe Benefits Cost					
3. Materials	Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
Total Materials Cost					

Budget Summary (con't.)

Federal Share

Detailed Description of Budget

Category	Mileage	Rate/ Mile	Estimated Cost	Total Cost
4. Travel a. Transportation (1) Local Private Vehicle				
4. Travel a. Transportation (2) Air/Destination	Trips	Fare	Estimated Cost	Total Cost
4. Travel a. Transportation (3) Other/Item	Quantity	Unit Cost	Estimated Cost	Total Cost
4. Travel b. Per Diem or Subsistence	Days	Rate/ Day	Estimated Cost	Total Cost
Total Travel Cost				
5. Equipment Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
Total Equipment Cost				
6. Consultants Category Type	Days	Rate/ Day	Estimated Cost	Total Cost
Total Consultants Cost				

Federal Share

Category				Estimated Cost	Total Cost
7. Subcontracts	List individual subcontracts				
Total Subcontracts Cost					
8. Other Direct	Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
Total Other Direct Cost					
9. Indirect	Category Type	Rate	Base	Estimated Cost	Total Cost
Total Indirect Cost					
Total Estimated Costs					

Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, D.C. 20503. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.O. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 36701 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a and 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air)

Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the national Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official

Title

Applicant Organization

Date Submitted

Certification and Assurances

As the duly authorized representative of the applicant, I certify that the applicant will:

- (a) Comply with environmental laws and authorities (24 CFR Part 58).
- (b) Comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. (Implementing Regulations at 49 CFR Part 24; and HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition.)
- (c) Comply with Federal civil rights laws and requirements.
- (d) Comply with the requirements of the Fair Housing Act (42 U.S.C. 3601-19); Executive Order 11063; Title VI of the Civil Rights Act of 1964, pertaining to equal opportunity and nondiscrimination in housing).
- (e) Comply with the Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973.
- (f) Comply with Section 3 of the Housing and Urban Development Act of 1968. (Implementing regulations at 24 CFR Part 135.)
- (g) Assure that the financial management system meets the standards for fund control and accountability. (24 CFR 85.20)
- (h) Assure that pre-hazard control, clearance, and 12 month post-hazard control testing will be conducted by certified performers.
- (i) Assure that lead hazard control activities are conducted safely and effectively by certified performers.
- (j) Assure that laboratory analysis is conducted by a laboratory accredited through the National Lead Laboratory Accreditation Program-accrediting body.
- (k) Assure, to the extent possible, that blood lead testing, blood lead level test results, and medical referral and follow-up is conducted for children under six occupying affected units according to the recommendations of the Centers for Disease Control and Prevention (CDC). (See Appendix A - Preventing Lead Poisoning in Young Children, October, 1991.)

- (l) Assure that Lead Hazard Control Grant program funds will not replace existing resources dedicated to any ongoing project.
- (m) Provide any other assurances that HUD includes in the application kit under this NOFA, including certification of compliance with the Drug-Free Workplace Act of 1988 in accordance with the requirements set forth at 24 CFR part 24, subpart F.

The applicant shall insert in the space below the site(s) for the performance of work done in connection with this grant program. See Other Matters - D. DrugFree Workplace Requirements in this Request for Grant Application (RFGA).

Place of Performance (Street address, city, county, state, zip code)

Signature of Authorized Certifying Official

Date

Title

RESPONSE

Please attach this completed and signed form as part of the application. Include with SF 424B - Certifications and Assurances.

Certification of No Outstanding Civil Rights Violations.

I certify that:

- (1) There is no pending civil rights suit against the the applicant agency instituted by the Department of Justice.
- (2) There is no outstanding finding of noncompliance with civil rights statutes, Executive Orders or regulations as a result of formal administrative proceedings, unless the applicant is operating under a HUD-approved compliance agreement designed to correct the area of noncompliance, or is currently negotiating such an agreement with the Department.
- (3) There is no unresolved Secretarial charge of discrimination issued under Section 810(g) of the Fair Housing Act, as implemented by 24 CFR 103.400.
- (4) There has been no adjudication of a civil rights violation in a civil action brought against the Agency by a private individual, unless the Agency is operating in compliance with a court order designed to correct the area of noncompliance, or the applicant has discharged any responsibility arising from such litigation.
- (5) There has been no deferral of the processing of applications from the applicant Agency imposed by HUD under Title VI of the Civil Rights Act of 1964, the Attorney General's Guidelines (28 CFR 50.3), or the HUD Title VI regulations (24 CFR 1.8) and procedures, or under Section 504 of the Rehabilitation Act of 1973 and the HUD Section 504 Regulations (24 CFR 8.57)."

Signature of Authorized Certifying Official

Title

Date

Applicant/Recipient Disclosure/Update Report

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 4.)

Part I Applicant/Recipient Information

Indicate whether this is an Initial Report ☐

or an Update Report ☐

1. Applicant/Recipient Name, Address, and Phone (include area code)

Social Security Number or
Employer ID Number

2. Project Assisted/ to be Assisted (Project/Activity name and/or number and its location by Street address, City, and State)

3. Assistance Requested/Received

4. HUD Program

5. Amount Requested/Received
\$

Part II. Threshold Determinations -- Applicants Only

1. Are you requesting HUD assistance for a specific project or activity, as provided by 24 CFR Part 12, Subpart C, **and** have you received, or can you reasonably expect to receive, an aggregate amount of all forms of covered assistance from HUD, States, and units of general local government, in excess of \$200,000 during the Federal fiscal year (October 1 through September 30) in which the application is submitted?

☐ Yes☐ No

If Yes, you must complete the remainder of this report.

If No, you must sign the certification below and answer the next question.

I hereby certify that this information is true. (Signature) _____ Date _____

2. Is this application for a specific housing project that involves other government assistance?

☐ Yes☐ No

If Yes, you must complete the remainder of this report.

If No, you must sign this certification.

I hereby certify that this information is true. (Signature) _____ Date _____

If your answers to both questions are No, you do not need to complete Parts III, IV, or V, but you must sign the certification at the end of the report.

Part III. Other Government Assistance Provided/Requested

Department/State/Local Agency Name and Address	Program	Type of Assistance	Amount Requested/Provided

Is there other government assistance that is reportable in this Part and in Part V, but that is reported only in Part V? ☐ Yes ☐ No

If there is no other government assistance, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

Part IV. Interested Parties

Alphabetical list of all persons with a reportable financial interest in the project or activity (for individuals, give the last name first)	Social Security Number or Employee ID Number	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)

If there are no persons with a reportable financial interest, you must certify that this information is true.
I hereby certify that this information is true. (Signature) _____ Date _____

Part V. Report on Expected Sources and Uses of Funds

Source

If there are no sources of funds, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

Use

If there are no uses of funds, you must certify that this information is true.

I hereby certify that this information is true. (Signature) _____ Date _____

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature	Date
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Public reporting burden for this collection of information is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Paperwork Reduction Project (2510-0011), Office of Information Technology, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

Do not send this form to the above address.

Privacy Act Statement. Except for Social Security Numbers (SSNs) and Employer Identification Numbers (EINs), the Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under section 102 of the Department of Housing and Urban Development Reform Act of 1989, 42 U.S.C. 3531. Disclosure of SSNs and EINs is optional. The SSN or EIN is used as a unique identifier. The information you provide will enable HUD to carry out its responsibilities under Sections 102(b), (c), and (d) of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989. These provisions will help ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. They will also help ensure that HUD assistance for a specific housing project under Section 102(d) is not more than is necessary to make the project feasible after taking account of other government assistance. HUD will make available to the public all applicant disclosure reports for five years in the case of applications for competitive assistance, and for generally three years in the case of other applications. Update reports will be made available along with the disclosure reports, but in no case for a period generally less than three years. All reports, both initial reports and update reports, will be made available in accordance with the Freedom of Information Act (5 U.S.C. §552) and HUD's implementing regulations at 24 CFR Part 15. HUD will use the information in evaluating individual assistance applications and in performing internal administrative analyses to assist in the management of specific HUD programs. The information will also be used in making the determination under Section 102(d) whether HUD assistance for a specific housing project is more than is necessary to make the project feasible after taking account of other government assistance. You must provide all the required information. Failure to provide any required information may delay the processing of your application, and may result in sanctions and penalties, including imposition of the administrative and civil money penalties specified under 24 CFR §12.34.

Note: This form only covers assistance made available by the Department. States and units of general local government that carry out responsibilities under Sections 102(b) and (c) of the Reform Act must develop their own procedures for complying with the Act.

Instructions (See Note 1 on last page.)

I. Overview. Subpart C of 24 CFR Part 12 provides for (1) initial reports from applicants for HUD assistance and (2) update reports from recipients of HUD assistance. An overview of these requirements follows.

A. Applicant disclosure (initial) reports: General. All applicants for assistance from HUD for a specific project or activity must make a number of disclosures, if the applicant meets a dollar threshold for the receipt of covered assistance during the fiscal year in which the application is submitted. The applicant must also make the disclosures if it requests assistance from HUD for a specific housing project that involves assistance from other governmental sources.

Applicants subject to Subpart C must make the following disclosures:

- Assistance from other government sources in connection with the project,
- The financial interests of persons in the project,
- The sources of funds to be made available for the project, and
- The uses to which the funds are to be put.

B. Update reports: General. All recipients of covered assistance must submit update reports to the Department to reflect substantial changes to the initial applicant disclosure reports.

C. Applicant disclosure reports: Specific guidance. The applicant must complete all parts of this disclosure form if **either** of the following **two** circumstances in paragraph 1. or 2., below, applies:

1.a. **Nature of Assistance.** The applicant submits an application for assistance for a specific project or activity (See Note 2) in which:

HUD makes assistance available to a recipient for a specific project or activity; or

HUD makes assistance available to an entity (other than a State or a unit of general local government), such as a public housing agency (PHA), for a specific project or activity, where the application is required by statute or regulation to be submitted to HUD for any purpose; **and**

b. **Dollar Threshold.** The applicant has received, or can reasonably expect to receive, an aggregate amount of all forms of assistance (See Note 3) from HUD, States, and units of general local government, in excess of \$200,000 during the Federal fiscal year (October 1 through September 30) in which the application is submitted. (See Note 4)

2. The applicant submits an application for assistance for a specific housing project that involves other government assistance. (See Note 5) **Note:** There is no dollar threshold for this criterion: **any** other government assistance triggers the requirement. (See Note 6)

If the Application meets **neither** of these two criteria, the applicant need only complete Parts I and II of this report, as well as the certification at the end of the report. If the Application meets **either** of these criteria, the applicant must complete the entire report.

The applicant disclosure report must be submitted with the application for the assistance involved.

D. Update reports: Specific guidance. During the period in which an application for covered assistance is pending, or in which the assistance is being provided (as indicated in the relevant grant or other agreement), the applicant must make the following additional disclosures:

1. Any information that should have been disclosed in connection with the application, but that was omitted.
2. Any information that would have been subject to disclosure in connection with the application, but that arose at a later time, including information concerning an interested party that now meets the applicable disclosure threshold referred to in Part IV, below.
3. For changes in previously disclosed other government assistance:

For programs administered by the Assistant Secretary for Community Planning and Development, any change in other government assistance that exceeds the amount of such assistance that was previously disclosed by \$250,000 or by 10 percent of the assistance (whichever is lower).

For all other programs, any change in other government assistance that exceeds the amount of such assistance that was previously disclosed.

4. For changes in previously disclosed financial interests, any change in the amount of the financial interest of a person that exceeds the amount of the previously disclosed interests by \$50,000 or by 10 percent of such interests (whichever is lower).

5. For changes in previously disclosed sources or uses of funds:
- a. For programs administered by the Assistant Secretary for Community Planning and Development:

Any change in a source of funds that exceeds the amount of all previously disclosed sources of funds by \$250,000 or by 10 percent of those sources (whichever is lower); and

Any change in a use of funds under paragraph (b)(1)(iii) that exceeds the amount of all previously disclosed uses of funds by \$250,000 or by 10 percent of those uses (whichever is lower).

- b. For all programs, other than those administered by the Assistant Secretary for Community Planning and Development:

For projects receiving a tax credit under Federal, State, or local law, any change in a source of funds that was previously disclosed.

For all other projects, any change in a source of funds that exceeds the lower of:

The amount previously disclosed for that source of funds by \$250,000, or by 10 percent of the amount previously disclosed for that source, whichever is lower; or

The amount previously disclosed for all sources of funds by \$250,000, or by 10 percent of the amount previously disclosed for all sources of funds, whichever is lower.

- c. For all programs, other than those administered by the Assistant Secretary for Community Planning and Development:

For projects receiving a tax credit under Federal, State, or local law, any change in a use of funds that was previously disclosed.

For all other projects, any change in a use of funds that exceeds the lower of:

The amount previously disclosed for that use of funds by \$250,000, or by 10 percent of the amount previously disclosed for that use, whichever is lower; or

The amount previously disclosed for all uses of funds by \$250,000, or by 10 percent of the amount previously disclosed for all uses of funds, whichever is lower.

Note: Update reports must be submitted within 30 days of the change requiring the update. The requirement to provide update reports only applies if the application for the underlying assistance was submitted on or after the effective date of Subpart C.

II. Line-by-Line Instructions.

A. Part I. Applicant/Recipient Information.

All applicants for HUD assistance specified in Section I.C.1.a., above, as well as all recipients required to submit an update report under Section I.D., above, must complete the information required by Part I. The applicant/recipient must indicate whether the disclosure is an initial or an update report. Line-by-line guidance for Part I follows:

1. Enter the full name, address, city, State, zip code, and telephone number (including area code) of the applicant/recipient. Where the applicant/recipient is an individual, the last name, first name, and middle initial must be entered. Entry of the applicant/recipient's SSN or EIN, as appropriate, is optional.
2. Applicants enter the name and full address of the project or activity for which the HUD assistance is sought. Recipients enter the name and full address of the HUD-assisted project or activity to which the update report relates. The most appropriate government identifying number must be used (e.g., RFP No.; IFB No.; grant announcement No.; or contract, grant, or loan No.) Include prefixes.
3. Applicants describe the HUD assistance referred to in Section I.C.1.a. that is being requested. Recipients describe the HUD assistance to which the update report relates.

4. Applicants enter the HUD program name under which the assistance is being requested. Recipients enter the HUD program name under which the assistance, that relates to the update report, was provided.

5. Applicants enter the amount of HUD assistance that is being requested. Recipients enter the amount of HUD assistance that has been provided and to which the update report relates. The amounts are those stated in the application or award documentation. NOTE: In the case of assistance that is provided pursuant to contract over a period of time (such as project-based assistance under section 8 of the United States Housing Act of 1937), the amount of assistance to be reported includes all amounts that are to be provided over the term of the contract, irrespective of when they are to be received.

Note: In the case of Mortgage Insurance under 24 CFR Subtitle B, Chapter II, the mortgagor is responsible for making the applicant disclosures, and the mortgagee is responsible for furnishing the mortgagor's disclosures to the Department. Update reports must be submitted directly to HUD by the mortgagor.

Note: In the case of the Project-Based Certificate program under 24 CFR Part 882, Subpart G, the owner is responsible for making the applicant disclosures, and the PHA is responsible for furnishing the owner's disclosures to HUD. Update reports must be submitted through the PHA by the owner.

B. Part II. Threshold Determinations — Applicants Only

Part II contains information to help the applicant determine whether the remainder of the form must be completed. **Recipients filing Update Reports should not complete this Part.**

1. The first question asks whether the applicant meets the Nature of Assistance and Dollar Threshold requirements set forth in Section I.C.1. above.

If the answer is Yes, the applicant must complete the remainder of the form. If the answer is No, the form asks the applicant to certify that its response is correct, and to complete the next question.

2. The second question asks whether the application is for a specific housing project that involves other government assistance, as described in Section I.C.2. above.

If the answer is Yes, the applicant must complete the remainder of the form. If the answer is No, the form asks the applicant to certify that its response is correct.

If the answer to both questions¹ and 2 is No, the applicant need not complete Parts III, IV, or V of the report, but must sign the certification at the end of the form.

C. Part III. Other Government Assistance.

This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports. Applicants must report any other government assistance involved in the project or activity for which assistance is sought. Recipients must report any other government assistance involved in the project or activity, to the extent required under Section I.D.1., 2., or 3., above.

Other government assistance is defined in note 5 on the last page. For purposes of this definition, other government assistance is expected to be made available if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the assistance will be forthcoming.

Both applicant and recipient disclosures must include all other government assistance involved with the HUD assistance, as well as any other government assistance that was made available before the request, but that has continuing vitality at the time of the request. Examples of this latter category include tax credits that provide for a number of years of tax benefits, and grant assistance that continues to benefit the project at the time of the assistance request.

The following information must be provided:

1. Enter the name and address, city, State, and zip code of the government agency making the assistance available. Include at least one organizational level below the agency name. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol.
2. Enter the program name and any relevant identifying numbers, or other means of identification, for the other government assistance.
3. State the type of other government assistance (e.g., loan, grant, loan insurance).
4. Enter the dollar amount of the other government assistance that is, or is expected to be, made available with respect to the project or activities for which the HUD assistance is sought (applicants) or has been provided (recipients).

If the applicant has no other government assistance to disclose, it must certify that this assertion is correct.

To avoid duplication, if there is other government assistance under this Part and Part V, the applicant/recipient should check the appropriate box in this Part and list the information in Part V, clearly designating which sources are other government assistance.

D. Part IV. Interested Parties.

This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports.

Applicants must provide information on:

- (1) All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- (2) any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Recipients must make the additional disclosures referred to in Section I.D.1., 2., or 4, above.

Note: A financial interest means any financial involvement in the project or activity, including (but not limited to) situations in which an individual or entity has an equity interest in the project or activity, shares in any profit on resale or any distribution of surplus cash or other assets of the project or activity, or receives compensation for any goods or services provided in connection with the project or activity. Residency of an individual in housing for which assistance is being sought is not, by itself, considered a covered financial interest.

The information required below must be provided.

1. Enter the full names and addresses of all persons referred to in paragraph (1) or (2) of this Part. If the person is an entity, the listing must include the full name of each officer, director, and principal stockholder of the entity. All names must be listed alphabetically, and the names of individuals must be shown with their last names first.
2. Entry of the Social Security Number (SSN) or Employee Identification Number (EIN), as appropriate, for each person listed is optional.
3. Enter the type of participation in the project or activity for each person listed: i.e., the person's specific role in the project (e.g., contractor, consultant, planner, investor).
4. Enter the financial interest in the project or activity for each person listed. The interest must be expressed both as a dollar amount and as a percentage of the amount of the HUD assistance involved.

If the applicant has no persons with financial interests to disclose, it must certify that this assertion is correct.

5. Part V. Report on Sources and Uses of Funds. This Part is to be completed by both applicants filing applicant disclosure reports and recipients filing update reports.

The applicant disclosure report must specify all expected sources of funds — both from HUD and from any other source — that have been, or are to be, made available for the project or activity. Non-HUD sources of funds typically include (but are not limited to) other government assistance referred to in Part III, equity, and amounts from foundations and private contributions. The report must also specify all expected uses to which funds are to be put. All sources and uses of funds must be listed, if, based on an assessment of all the circumstances involved, there are reasonable grounds to anticipate that the source or use will be forthcoming.

Note that if any of the source/use information required by this report has been provided elsewhere in this application package, the applicant need not repeat the information, but need only refer to the form and location to incorporate it into this report. (It is likely that some of the information required by this report has been provided on SF 424A, and on various budget forms accompanying the application.) If this report requires information beyond that provided elsewhere in the application package, the applicant must include in this report all the additional information required.

Recipients must submit an update report for any change in previously disclosed sources and uses of funds as provided in Section I.D.5., above.

General Instructions — sources of funds

Each reportable source of funds must indicate:

- a. The name and address, city, State, and zip code of the individual or entity making the assistance available. At least one organizational level below the agency name should be included. For example, U.S. Department of Transportation, U.S. Coast Guard; Department of Safety, Highway Patrol.
- b. The program name and any relevant identifying numbers, or other means of identification, for the assistance.
- c. The type of assistance (e.g., loan, grant, loan insurance).

Specific instructions — sources of funds.

(1) For programs administered by the Assistant Secretaries for Fair Housing and Equal Opportunity and Policy Development and Research, each source of funds must indicate the total amount of approved, and received; and must be listed in descending order according to the amount indicated.

(2) For programs administered by the Assistant Secretaries for Housing-Federal Housing Commissioner, Community Planning and Development, and Public and Indian Housing, each source of funds must indicate the total amount of funds involved, and must be listed in descending order according to the amount indicated.

(3) If Tax Credits are involved, the report must indicate all syndication proceeds and equity involved.

General instructions—uses of funds.

Each reportable use of funds must clearly identify the purpose to which they are to be put. Reasonable aggregations may be used, such as “total structure” to include a number of structural costs, such as roof, elevators, exterior masonry, etc.

Specific instructions -- uses of funds.

(1) For programs administered by the Assistant Secretaries for Fair Housing and Equal Opportunity and Policy Development and Research, each use of funds must indicate the total amount of funds involved; must be broken down by amount committed, budgeted, and planned; and must be listed in descending order according to the amount indicated.

(ii) For programs administered by the Assistant Secretaries for Housing-Federal Housing Commissioner, Community Planning and Development, and Public and Indian Housing, each use of funds must indicate the total amount of funds involved and must be listed in descending order according to the amount involved.

(iii) If any program administered by the Assistant Secretary for Housing-Federal Housing Commissioner is involved, the report must indicate all uses paid from HUD sources and other sources, including syndication proceeds. Uses paid should include the following amounts.

AMPO

Architect's fee — design
Architect's fee — supervision
Bond premium
Builder's general overhead
Builder's profit
Construction interest
Consultant fee
Contingency Reserve
Cost certification audit fee
FHA examination fee
FHA inspection fee
FHA MIP
Financing fee
FNMA / GNMA fee
General requirements
Insurance
Legal — construction
Legal — organization
Other fees
Purchase price
Supplemental management fund
Taxes
Title and recording
Operating deficit reserve
Resident initiative fund
Syndication expenses
Working capital reserve
Total land improvement
Total structures

Uses paid from syndication must include the following amounts:

Additional acquisition price and expenses
Bridge loan interest
Development fee
Operating deficit reserve
Resident initiative fund
Syndication expenses
Working capital reserve

Footnotes:

1. All citations are to 24 CFR Part 12, which was published in the Federal Register on March 14, 1991 at 56 Fed. Reg. 11032.
2. A list of the covered assistance programs can be found at 24 CFR §12.30, or in the rules or administrative instructions governing the program involved. Note: The list of covered programs will be updated periodically.
3. Assistance means any contract, grant, loan, cooperative agreement, or other form of assistance, including the insurance or guarantee of a loan or mortgage, that is provided with respect to a specific project or activity under a program administered by the Department. The term does not include contracts, such as procurements contracts, that are subject to the Federal Acquisition Regulation (FAR) (48 CFR Chapter 1).
4. See 24 CFR §§12.32 (a)(2) and (3) for detailed guidance on how the threshold is calculated.
5. "Other government assistance" is defined to include any loan, grant, guarantee, insurance, payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect assistance from the Federal government (other than that requested from HUD in the application), a State, or a unit of general local government, or any agency or instrumentality thereof, that is, or is expected to be made, available with respect to the project or activities for which the assistance is sought.
6. For further guidance on this criterion, and for a list of covered programs, see 24 CFR §12.50.
7. For purposes of Part 12, a person means an individual (including a consultant, lobbyist, or lawyer); corporation; company; association; authority; firm; partnership; society; State, unit of general local government, or other government entity, or agency thereof (including a public housing agency); Indian tribe; and any other organization or group of people.

Disclosure of Lobbying Activities

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse side for Instructions.)

Public Reporting Burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District , if known: _____		5. If Reporting Entity in No. 4 is Subawardee, enter Name and Address of Prime: Congressional District , if known: _____
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number , if applicable: _____	
8. Federal Action Number , if known: _____	9. Award Amount , if known: \$ _____	
10a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a.) (last name, first name, MI):	

11. Information requested through this form is authorized by Sec.319, Pub. L. 101-121, 103 Stat. 750, as amended by sec. 10; Pub. L. 104-65, Stat. 700 (31 U.S.C. 1352). This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____
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Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

CATEGORY B

SAMPLE FORMS

- ⚙ Detailed Description of HUD
(Federal) Funds Budget Request
(Exhibit A)
- ⚙ SF-424A Section B
(Exhibit B)

Budget Summary

EXHIBIT A

Federal Share (SAMPLE HUD FUNDS BUDGET REQUEST)

Name and Address of Applicant: _____

Detailed Description of Budget

1. Direct Labor	Category Position or Individual	Estimated Hours	Rate/ Hour	Estimated Cost	Total Cost
	Lead Paint Program Coordinator	5200	\$14.09	\$75,612	\$75,612
	Human Service Specialist	5200	\$10.15	\$54,469	\$54,469
	(Note: Both positions include a 4 percent increase over 2 years.)				
	(attach pay scale for justification)				
	Total Direct Labor Cost				\$130,081
2. Fringe Benefits	Category Fringe Benefits Rate = .3058	Rate	Base	Estimated Cost	Total Cost
	Unemployment Insurance	.0048	\$130,081	\$624.39	\$624.39
	Workers Compensation	.0479	\$130,081	\$6,230.88	\$6,230.88
	Retirement	.1281	\$130,081	\$16,663.38	\$16,663.38
	Health Insurance	.1250	\$130,081	\$16,260.13	\$16,260.13
	(attach negotiated rate agreement or most recent audit)				
	Total Fringe Benefits Cost				\$39,779.00
3. Materials	Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
	Office Supplies			\$2,540.30	\$2,540.30
	Medical/Laboratory Supplies			\$1,262.75	\$1,262.75
	(provide a breakdown of any line item greater than \$10,000)				
	Total Materials Cost				\$3,803.00

Budget Summary (con't.)

EXHIBIT A, con't.

Federal Share

Detailed Description of Budget

Category	Mileage	Rate/ Mile	Estimated Cost	Total Cost
4. Travel a. Transportation (1) Local Private Vehicle				
167 miles/month x 30 months	5000	.22	\$1,100	\$1,100
4. Travel a. Transportation (2) Air/Destination	Trips	Fare	Estimated Cost	Total Cost
H/D Washington	15	\$500	\$7,500	\$7,500
4. Travel a. Transportation (3) Other/Item	Quantity	Unit Cost	Estimated Cost	Total Cost
H/D Sponsored Training			\$3,000	\$3,000
4. Travel b. Per Diem or Subsistence	Days	Rate/ Day	Estimated Cost	Total Cost
Travel Per Diem	30	\$145	\$4,350	\$4,350
Total Travel Cost				\$15,950
Category Item	Quantity	Unit Cost	Estimated Cost	Total Cost
5. Equipment				
Computer Equipment/Peripherals			\$6,900	\$6,900
XRF Source (provide a breakdown of any line item greater than \$10,000)	1	\$2,000	\$2,000	\$2,000
Hemocue Machine	1	\$615	\$615	\$615
Office Furniture		\$975	\$975	\$975
Total Equipment Cost				\$10,490
Category Type	Days	Rate/ Day	Estimated Cost	Total Cost
6. Consultants				
Legal Fees			\$2,500	\$2,500
All Project Consultants			\$11,121	\$11,121
Health & Human Services (case management)			\$8,000	\$8,000
Interpreters			\$600	\$600
Total Consultants Cost				\$22,221

Budget Summary (con't.)

EXHIBIT A, con't.

Federal Share

Detailed Description of Budget

Category				Estimated Cost	Total Cost
7. Subcontracts List individual subcontracts					
Training: Contractors/Workers	3 sessions	\$450/ session		\$1,350	\$1,350
Grants for Cleanings: estimate 120 units	120 units	\$1,750 avg per unit		\$210,000	\$210,000
Loans for Abatement: estimate 100 units	100 units	\$7,145 avg per unit		\$714,500	\$714,500
Unit Testing & Blood Screening				\$197,595	\$197,595
(detailed description of subcontracts greater than 10 percent)					
Total Subcontracts Cost					\$1,123,445
Category		Quantity	Unit Cost	Estimated Cost	Total Cost
8. Other Direct Item					
Administrative				\$5,287	\$5,287
Relocation: estimate 80 families	80	\$940		\$75,100	\$75,100
Total Other Direct Cost					\$80,387
Category		Rate	Base	Estimated Cost	Total Cost
9. Indirect Type					
Items included in materials and other direct costs.					
(attach negotiated rate agreement or most recent audit)					
Total Indirect Cost					
Total Estimated Costs					\$1,426,156

Budget Information — Non-Construction Programs

OMB Approval No. 0348-01

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. Totals		\$	\$	\$ 1,426,156	\$ 801,000	\$ 2,227,156

Section B - Budget Categories

6. Object Class Categories	Grant Program, Function or Activity				Total (5)
	(1) HUD Request	(2) 10% Match	(3) Sub-total	(4) Other Resources	
a. Personnel	\$ 130,081	\$ 73,816	\$ 203,897	\$ 39,184	\$ 243,081
b. Fringe Benefits	39,779	22,573	62,352		62,352
c. Travel	15,950		15,950		15,950
d. Equipment	10,490	1,400	11,890		11,890
e. Supplies	3,803		3,803		3,803
f. Contractual	1,145,666	44,827	1,190,493	619,200	1,809,693
g. Construction					
h. Other	80,387		80,387		80,387
i. Total Direct Charges (sum of 6a-6h)	1,426,156	142,616	1,568,772	658,384	2,227,156
j. Indirect Charges					
k. Totals (sum of 6i and 6j)	1,426,156	142,616	1,568,772	658,384	2,227,156
7. Program Income	\$	\$	\$	\$	\$

CATEGORY B RATING FACTORS

- a. COORDINATION**
- b. ACTIVITIES**
- c. STRATEGY**
- d. MANAGEMENT AND
BUDGET PLAN**
- e. ACTIONS TO
AFFIRMATIVELY
FURTHER FAIR HOUSING**

Category B

Rating Factors and Scoring

The applications will be rated according to the five technical rating factors (totalling 110 points) listed below:

- a. Coordination- - - - - 35 points
 - b. Activities- - - - - 25 points
 - c. Strategy - - - - - 20 points
 - d. Management and Budget Plan - - - - - 20 points
 - e. Actions to Affirmatively Further Fair Housing 10 points
- TOTAL: 110 points

Responses to Factors for Award

Please respond to each of the five Category B Rating Factor items. **Factor e has a 5 page response limit.** Additional supporting documentation from the Analysis of Impediment and other pertinent FHEO planning documents may be included as an appendix to supplement the narrative response to Rating Factor e. This NOFA has specific format instructions and reduces the number of budget forms required. Within the grant resources available, HUD intends to fund the highest rated applications, but reserves the right to fund other eligible applicants to ensure that available funds are used effectively to promote the purposes of Title X.

Factor a: **COORDINATION** (35 Points)

(1) Describe the history of the working relationship between the applicant, EPA, any other Federal agencies, residents or neighborhood-based organizations, and each Potentially Responsible Party (PRP), if any. When describing the working relationship with EPA, applicants should include Superfund activity, if appropriate, or Brownfield activity. Describe any site-specific community relations plans and activities including public meetings and other outreach activities that present a complete picture of the community's involvement and any likely issues that may arise. (25 points)

Response: Specify any plans to enlist the active participation of groups such as neighborhood associations and local advocacy groups. Detail activities these groups will perform in the lead-based paint hazard control program. Include letters of support from the various groups detailing their proposed roles, resources (including in-kind effort), and responsibilities.

(2) Discuss the financial, technical, and other resources contributed. (10 points)

Applicants will be scored according to ONLY one of the following situations:

(i) the site is an orphan Superfund site or a Brownfield site. The applicant will receive the full score. (5 points)

or

(ii) the site is a Superfund site and the total PRP contributions are equal to or exceed 1% of the requested grant sum. (10 points)

or

(iii) the site is a Superfund site and one or more PRPs have been identified and total contributions are less than 1% of the requested grant sum. (5 points)

Response (i): Provide documentation of orphan site status or documentation of Brownfield site designation.

or

Response (ii) or (iii): If there is PRP participation, detail their financial and technical contributions as well as the timing of these contributions. An executive summary of the Superfund site's Record of Decision and any other documentation that outlines the role of the PRP should be included.

Factor b: **ACTIVITIES** (25 points.)

(1) (i) For Superfund sites, describe the extent of the remediation work on the soil; provide a comprehensive picture of cleanup activities, both planned and undertaken, including any relevant site information that demonstrates applicant's need, and describe how coordinated activities of the applicant, PRPs, residents, and Superfund will reduce overall lead risk. (15 points)

or

(1) (ii) For Brownfield sites, applicants must provide information about whether or not lead soil contamination exists (if known) including the level of contamination. If soil lead levels exist, or are likely to exist, that need remediation, applicants must describe how remediation will occur. (15 points)

Response (1)(i): Summarize cleanup activities at the Superfund site(s) to date and discuss briefly planned cleanup activities.

Provide information on the need that exists at the site, including the number and proportion of children with elevated blood lead levels and those at risk of lead poisoning, age and condition of housing, number of units with deteriorating lead-based paint, and the number and percentage of low income families whose incomes do not exceed 80% of the median income for the area as determined by HUD with adjustments for smaller and larger families.

Detail what efforts have been made thus far by the applicant to coordinate cleanup activities with PRPs, residents and the Superfund program,

or

Response (1)(ii): for Brownfields sites, summarize any available information about lead soil contamination or evidence indicating potential soil lead contamination. Also describe how remediation, if needed, would occur.

(2) Describe which non-HUD funding sources have been secured to abate exterior lead-based paint hazards. (10 points)

Response: Describe the source of funds such as Community Development Block Grant funds appropriated by State or local government. Give the amount and when it became available, how long it will be available and the uses for such funds.

Factor c: STRATEGY (20 points.)

(1) Discuss the quality and cost-effectiveness of the proposed lead-based paint hazard control strategy, especially as it relates to Superfund cleanup activities or Brownfield sites, HUD lead-based paint hazard control, and how they fit into an overall environmental lead risk reduction scenario. The overall plan must include: the selection of sub-grantees and other sub-recipients to assist in implementing the project; the total number of units to be tested and treated and the rationale for this total; the abatement/hazard control methods and levels of treatment proposed, and number of units by type of treatment; the amount of prior hazard control experience; financing mechanisms for hazard control activities and the process for recruiting property owners (if applicable); temporary relocation plans, if needed; and the degree to which the strategy focuses on households in eligible housing units with children under the age of six years (if applicable); (8 points)

Response: Using the factors above, discuss how the strategy fits into an overall environmental lead risk reduction scenario that focuses on households in eligible housing units with children under the age of six years and provide details on any sub-grantees and recipients, total number of units tested and rationale, methods and levels of treatment (interim vs. abatement), experience in hazard control and temporary relocation strategies. **The applicant must demonstrate (as the grantee) the substantial involvement it will have in the oversight of the participating organizations and general oversight of the grant.**

(2) The level of coordination between the applicant, HUD, and the Superfund program or the Brownfield program; the experience of the applicant with environmental issues; the experience of the applicant with environmental justice issues; the experience of the applicant in dealing with the private sector, for Superfund sites especially with PRPs; (7 points)

Response: In discussing the level of coordination between the applicant, HUD, and Superfund program or the Brownfield program, detail the experience of the applicant with environmental issues, environmental justice issues and especially with PRPs and other private sector parties.

(3) A program for education and outreach to the people residing on the Superfund site or on or near the Brownfield site on the hazards of lead in both paint, soil and dust, including blood lead screening of young children and, if necessary, referral for medical treatment. Include roles and responsibilities and approaches undertaken by the groups and organizations involved in

both education and outreach, and blood lead testing and medical follow-up. (5 points)

Response: Describe the lead education program and to what groups outreach programs will be aimed. Describe the involvement (if any) of the local medical community or the public school system; describe the extent that outreach programs meet cultural and language needs of site residents; describe the percentage of the population that speaks English as a second language.

Factor d: MANAGEMENT AND BUDGET PLAN (20 points)

The Management and Budget Plan shall include:

(1) A narrative describing how the process and tasks of the grant program will be coordinated and managed by the personnel discussed in the strategy rating factor. Provide a brief narrative for each major budget subtask and justification for each functional cost element, explaining its planned use. (8 points)

(2) A budget proposal for each major cost element of the HUD grant, a task by task spreadsheet for the HUD grant and Section B of Standard Form 424A, for the match and other resources contributed by the applicant and the budget for the Superfund part of the project or the Brownfield part of the project as applicable. If applicable, describe specifically how Superfund dollars and HUD dollars will be allocated and tracked and whether or not Superfund dollars will be used to control exterior lead-based paint hazards as part of the soil remediation plan. (8 points)

Response: Provide a comprehensive and detailed discussion of the budgeted cost for each program element included in the overall plan (management, lead hazard control strategy, community awareness, education and outreach, and program evaluation). There shall be a separate estimate for the overall grant management element, "Administrative Costs," which are more fully defined in Appendix B of the NOFA. **The budget shall include not more than 10 percent for administrative costs and not less than 90 percent for direct project elements.** Complete the Budget Narrative Work Plan Format form, using the attached sample as a guide. Applicants may devote up to 24 months for the planning and completion of lead hazard control activities and up to an additional 12 months for post-hazard control testing.

The applicant should develop its budget request with the following items or assumptions included:

- Direct labor costs should include all full- and part-time staff required for the duration of the grant program. These costs should be based on FTE or hours/year (e.g. FTE equals 2080 hours per year or local equivalent). State or local pay scales should be attached.
- Travel expenses should be budgeted to allow for a maximum of 4 to 5 trips (of 2 to 3 days in length) to Washington, DC for 3-4 individuals).

- A maximum of two XRF machines may be purchased.
- Submit negotiated rate agreements for fringe benefits and indirect costs, if applicable.
- Any subcontracts, subgrants, or subrecipients receiving greater than 10 percent of the total Federal budget request should provide a similar cost proposal breakout.

(3) At a minimum, the applicant shall provide a 10 percent matching contribution of the requested grant sum. **Points for this factor will be awarded only for the amount of the net contributions that exceed the 10 percent statutory minimum.** Contributions may be cash or in-kind, or a combination of both. In-kind contributions must be given a monetary value. PRPs may contribute cash to meet this 10 percent matching contribution requirement. Community Development Block Grant Funds are the only Federal funds that may be considered part of the 10 percent matching contribution when they are specifically dedicated to this project. Additional resources committed to the program that exceed the minimum required 10 per cent match will provide points for this rating factor. Each source of contributions, cash or in-kind, both for the required minimum and additional amounts, shall be made in a letter of commitment from the contributing entity, whether a public or private source, and shall describe the contributed resources that will be used in the program. The absence of letters providing specific details and amount of the actual contributions will result in that contribution not being counted (4 points).

Response: Specify the amount and sources of the minimum 10 percent matching contribution **and** the additional resources, and how they will be provided (i.e., by cash or by in-kind services or personnel). If in-kind contributions are used, attribute a monetary value and explain how they will be used in the project. Each source of contributions should be made in a letter of commitment from the contributing entity, describing the contributed resources and the monetary value given. Staff in-kind contributions should be correlated with the discussion above. These contributions will not be counted unless letters with adequate detail are included as an appendix. See Sample 424A-Section B for arrangement of cost line items for the required 10% matching contribution and other resources committed to the program.

Factor e:

ACTIONS TO AFFIRMATIVELY FURTHER FAIR HOUSING

(10 Points)

Response should not exceed 5 pages. Any questions regarding the preparation of this response should be addressed to Arlene L. Halfon of the Office of Fair Housing and Equal Opportunity at (202) 708-2130, ext. 166.

Describe the strategies the applicant plans to use, within the requirements and parameters of the NOFA, to affirmatively further fair housing and environmental justice for all persons regardless of race, color, national origin, religion, sex, disability (including children with EBL), or familial status (size of family and number of children). All strategies must be applicable to lead-based paint concerns. Special consideration will be given to particularly innovative strategies that are designed to remedy the effects of identified past discrimination. Current grantees should demonstrate how the grant is currently being used to meet these identified problems and what additional activities will be undertaken with any new funding. To receive the full ten points, each of the two sub-factors listed below should be adequately addressed. **Information provided elsewhere in the Narrative or in the Appendix need only be referenced, not repeated.**

(a) Outreach strategies and methodologies to provide lead hazard-free housing to all segments of the population: homeowners, owners of rental properties, and tenants, especially for occupants least likely to apply for or receive its benefits. Once the target population is identified (e.g.; homeowners who are racial minorities living in minority-concentrated areas or owners of properties with under-served tenants such as minority renters with large families containing young children), a multifaceted outreach strategy directed specifically to them should be implemented. This strategy should go beyond testing and hazard control to include efforts taken after the lead hazard control work is completed to ensure adequate, hazard-safe housing.

The response should identify the populations that are most in need, but least likely to apply for funding (or unlikely to have their landlords apply). The rationale for such identification should be offered (e.g.; statistics, community attitudes, Analysis of Impediments -- AI, etc.). Strategies to reach the specific populations identified should then be discussed. It is necessary that a connection be made between identifying the population in greatest need of the service and getting this priority population to apply. Strategies should be specific to the particular community, based on the community's identified problems and needs. The applicant should discuss how these

strategies will be continued once the period of the grant is completed.

The following are examples of suggested strategies; none are required: (1) General outreach, to encourage participation from those who would ordinarily not apply. Outreach could be directed not only to homeowners and landlords to advise them of the availability of testing and hazard control, but also directly to tenants, especially those identified as not likely to receive benefits, who could then advise their landlords of the program; (2) Educating the public about issues of environmental justice; (3) Affirmative marketing of units found to be lead hazard free or which have been treated, to appropriately-sized families; (4) Using grants or forgiving loan payments for landlords who rent lead- or hazard- free units to populations which are identified and "targeted"; and/or (5) Increased investigative efforts by the Jurisdiction to enforce the Fair Housing Act against owners of large rental units who intentionally avoid making such units lead-safe in order to discourage occupancy by families with young children.

(b) Demonstrate (1) how the lead hazard control grant funding would be used in conjunction with the State or local government's Fair Housing Planning strategy to overcome any identified impediment to fair housing choice, which pertains to lead-based paint, and (2) how experience with this program will be used to update the Fair Housing Planning strategy. Specific impediments, plans for correcting the identified impediments, and planned updates to the AI should be described.

The response should focus on identification of lead-based paint issues as an impediment to fair housing choice in the AI. Where lead-based paint has been identified as an impediment, relevant information from the AI should be incorporated into the application along with action strategies which may have already been specified. If lead-based paint issues have not been previously identified in the AI and Fair Housing Plan, specify the reasons they were not mentioned and how the applicant plans to update the AI to incorporate them. In the case of communities which are not required to perform AIs, other existing planning documents and relevant fair housing strategies (as they affect lead-based paint issues) may be submitted and quoted in lieu of the AI; the community may also specify new strategies it plans to take even if grant funding is not received.

Miscellaneous Attachments to Rating Factors

Attach any miscellaneous items or documents to the application which support or are part of your lead-based paint hazard control program application. These appendices should be limited to maps, data tables, documents and forms that **directly** pertain to your proposed lead-based paint hazard control project and **must either be specifically referenced and/or requested in responding to the factors for award**. Additional narrative explanation for the Rating Factors is not acceptable. Information, materials, and documents which do not, in HUD's sole opinion, meet these requirements will not be considered in the application review.

Section II. Administrative Provisions

A. Obligation of funds

(a) Provision of funds. Funding shall be provided on a cost-reimbursable basis not to exceed the amount of the grant, except as otherwise provided in Sections 9.2 and 9.3 of the NOFA.

(b) Availability of funds. All payments will be made on a cost-reimbursable basis, except that a one (1) percent final payment shall be made upon completion of all tasks and the delivery and acceptance of the final report by the Government Technical Representative (GTR).

HUD will release funds for the inspection of units and for conducting the lead hazard control phase (interim controls, hazard abatement, or complete abatement) of the program after the grantee has submitted and secured HUD approval of HUD Form 7015.15 (Request for Release of Funds and Certification) which certifies that the grantee has fulfilled the environmental review requirements of the grant.

B. Increases of awards

After executing the grant agreement and initial obligation of funds, HUD will not increase the grant sum or the total amount to be obligated based upon the original scope of work. Amounts awarded may only be increased as provided in section 9.3, Deobligation, of the NOFA.

C. Deobligation

(a) Reasons for deobligation. HUD may deobligate amounts for the grant if proposed activities are not initiated or completed within the required time after the award effective date. The grant agreement will set forth in detail other circumstances under which funds may be deobligated and other sanctions imposed.

(b) Treatment of deobligated funds. HUD may undertake either or both of the following actions:

(1) Readvertise the availability of funds that have been deobligated under this section in a new NOFA; or

(2) Choose additional applications which were submitted in response to this NOFA in accordance with the selection process described in Sections 4.1 and 7.3 of this NOFA.

D. Reports

The grantee shall submit the following types of reports:

- (a) Progress Reports. The grantee shall submit quarterly progress reports in accordance with the HUD Project Management System and Office of Lead Hazard Control policy. These progress reports shall include expenditure reports and a narrative describing important events, milestones, work plan progress, and problems encountered during the period covered. Grantees will be provided the applicable forms and reporting instructions.
- (b) Final Report. The grantee shall submit a final report in accordance with the procedures of the HUD Project Management System and Office of Lead Hazard Control policy. The report shall summarize the applicant's plans, execution of the plans, achievements noted, and lessons learned. The report need not be lengthy, but should be of a quality and detail to provide a free-standing description to any outside reader of all of the applicant's work and achievements under the grant.

Section III. Correction to Deficient Grants:

HUD will notify an applicant, in writing, shortly after the expiration of the NOFA response deadline of any minor deficiencies in the application that are not of a substantive nature, such as an omitted certification or illegible signature. The applicant shall submit corrections which must be received at the Office of Lead-Based Paint Abatement and Poisoning Prevention within 21 calendar days from the date of HUD's letter notifying the applicant of any minor deficiencies. Electronic (FAX) transmittal is not an acceptable transmittal mode. Corrections to minor deficiencies will be accepted within the 21 day time limit. APPLICANTS WHO DO NOT MAKE TIMELY RESPONSE TO REQUESTS FOR DEFICIENCY CORRECTIONS SHALL BE REMOVED FROM FURTHER CONSIDERATION FOR AWARD.

Applicants will only be permitted to correct those deficiencies determined by HUD to be minor. Deficiencies determined by HUD to be substantive may not be corrected.

Section IV. Environmental Review

In accordance with the Multifamily Housing Property Disposition

Reform Act of 1994, HUD regulations in 24 CFR Part 58 provide that recipients of lead-based paint hazard control grants will assume Federal environmental review responsibilities. Recipients of a grant under this NOFA will be given guidance in carrying out these responsibilities.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implements Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the General Counsel, Rules Docket Clerk, Department of Housing and Urban Development, 451 Seventh Street, SW, Room 10276, Washington, D.C.

Section V. Legislative Authority

Grants are authorized under Section 1011, Subsection (a) through (f), of the Residential Lead-Based Paint Hazard Reduction Act of 1992, Public Law 102-550, (also known as "Title X"), signed into law on October 28, 1992, and the Department of Veterans Affairs, Housing and Urban Development and Independent Agencies Appropriation Act of 1997 (Public Law 104-204).

LEAD-BASED PAINT
HAZARD CONTROL IN HOUSING
GRANT PROGRAM

1997

NOTICE OF
FUNDING AVAILABILITY (NOFA)
FEDERAL REGISTER NOTICE



Tuesday
June 3, 1997

Part II

**Department of
Housing and Urban
Development**

**NOFA for Lead-Based Paint Hazard
Control in Privately-Owned Housing,
Fiscal Year 1997; Notice**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4211-N-01]

NOFA for Lead-Based Paint Hazard Control in Privately-Owned Housing, Fiscal Year 1997

AGENCY: Office of the Secretary—Office of Lead Hazard Control, HUD.

ACTION: Notice of funding availability for Fiscal Year (FY) 1997.

SUMMARY: This notice announces the competition for two categories of grant funding: Category A for approximately \$46 million for a grant program for State and local governments to undertake lead-based paint hazard control in eligible privately-owned housing units; and Category B for approximately \$4 million for grants to State and local governments for assistance in undertaking lead-based paint hazard control in eligible privately-owned housing units on or near Superfund or "Brownfield" sites.

Approximately 12–15 grants of \$1 million–\$4 million each will be awarded under Category A and a maximum of 8 grants of \$500,000 to \$2 million each will be awarded under Category B. The grant sum requested by applicants under either category must constitute the total request for the maximum thirty six (36) months for the expected duration of the proposed project. Proposals can be submitted by jurisdictions for both categories of assistance. As part of HUD's reinvention efforts, this Notice of Funding Availability (NOFA) includes changes that HUD believes will make the application for lead-based paint hazard control grant funds simpler and less time-consuming. This NOFA limits a Category A applicant's response to the Rating Factors to a maximum of 25 pages, has specific format instructions, and reduces the number of budget forms required. (There are no page limitations for Category B applicant's responses to the Rating Factors.) The application kit developed for this NOFA provides additional details to further guide and assist those eligible to apply.

This document includes information concerning the following:

- (1) The purpose of the NOFA, eligibility, available amounts, and selection criteria;
 - (2) Application processing, including how to apply and how selections will be made; and
 - (3) A checklist of steps and exhibits involved in the application process.
- Appendices to the NOFA identify relevant regulations and guidelines referenced throughout the NOFA, define

"administrative costs", list HUD housing programs eligible to receive assistance under this grant program, and provide a relevant statutory provision.

DATES: An original and five copies of the completed application must be received by HUD no later than 3:00 p.m. (Eastern Time) on August 5, 1997. The application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, the Department will treat as ineligible for consideration any application that is received after its deadline. Applicants should take this factor into account and make early submission of their materials to avoid loss of eligibility brought about by unanticipated delays or other delivery-related problems. Sections 5 and 7 of this NOFA provide further information on what constitutes proper submission of an application for Category A and B respectively.

ADDRESSES: Application kits may be obtained from the Office of Lead Hazard Control, Department of Housing and Urban Development, Room B-133, 451 Seventh Street, S.W., Washington, D.C. 20410, or by calling Ms. Phyllis Horace at (202) 755-1785, extension 120 (this is not a toll-free number), or by making an e-mail request to: phyllis_d._horace@hud.gov (use underscore characters). The Department is also planning to make the NOFA and application kit accessible via the Internet World Wide Web (<http://www.hud.gov/lea/leahome.html>). Completed applications must be submitted to the mailing address, and may not be faxed or electronically transmitted.

FOR FURTHER INFORMATION CONTACT: For Category A applicants: Ellis G. Goldman, Director, Program Management Division, Office of Lead Hazard Control, Room B-133, 451 Seventh Street, S.W., Washington, D.C. 20410, telephone (202) 755-1785, extension 112 (this is not a toll-free number). For Category B applicants: Melissa F. Shapiro, telephone (202) 755-1785, extension 153 (this is not a toll-free number). For hearing and speech-impaired persons, the telephone number may be accessed via TTY (text telephone) by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Promoting Comprehensive Approaches to Housing and Community Development

HUD is interested in promoting comprehensive, coordinated approaches to housing and community development. Economic development,

community development, public housing revitalization, homeownership, assisted housing for special needs populations, supportive services, and welfare-to-work initiatives can work better if linked at the local level. Toward this end, the Department in recent years has developed the Consolidated Planning process designed to help communities undertake such approaches.

In this spirit, it may be helpful for applicants under this NOFA to be aware of other related HUD NOFAs that have recently been published or are expected to be published in the near future. By reviewing these NOFAs with respect to their program purposes and the eligibility of applicants and activities, applicants may be able to relate the activities proposed for funding under this NOFA to the recent and upcoming NOFAs and to the community's Consolidated Plan.

HUD is publishing the following related NOFA elsewhere in today's **Federal Register**: The HOPE VI Public Housing Demolition NOFA. HUD has also recently published the following related NOFAs: the NOFA for the Revitalization of Severely Distressed Public Housing (HOPE VI) (62 FR 18242, April 14, 1997), and the Comprehensive Improvement Assistance Program (CIAP) NOFA (62 FR 23928, May 1, 1997).

To foster comprehensive, coordinated approaches by communities, the Department intends for the remainder of FY 1997 to continue to alert applicants to upcoming and recent NOFAs as each NOFA is published. In addition, a complete schedule of NOFAs to be published during the fiscal year and those already published appears under the HUD Homepage on the Internet, which can be accessed at <http://www.hud.gov/nofas.html>. Additional steps on NOFA coordination may be considered for FY 1998.

To help in obtaining a copy of your community's Consolidated Plan, please contact the community development office of your municipal government.

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Section 1. Paperwork Reduction Act Statement

The information collection requirements contained in this NOFA have been approved by the Office of Management and Budget (OMB), under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2539-0005. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

Section 2. Definitions

The following definitions apply to this grant program:

Abatement—Any set of measures designed to permanently eliminate lead-based paint or lead-based paint hazards. For the purposes of this definition,

permanent means at least 20 years effective life. Abatement includes:

(a) The removal of lead-based paint and lead-contaminated dust, the permanent enclosure or encapsulation of lead-based paint, the replacement of components or fixtures painted with lead-based paint, and the removal or permanent covering of soil; and

(b) All preparation, cleanup, disposal, and post-abatement clearance testing activities associated with such measures.

Accredited Laboratory—A laboratory that is accredited by an EPA-approved lead laboratory accrediting organization and recognized by the National Lead Laboratory Accreditation Program (NLLAP) as being capable of performing lead analyses of samples of paint, dust, wipes, and/or soil. (A list of recognized laboratories and EPA-approved lead laboratory accrediting organizations is available from the National Lead Information Center at (800-424-LEAD [5323])).

Administrative Costs—(See Appendix B of this NOFA for a detailed definition.)

Applicant—A State or a unit of general local government with a currently approved Consolidated Plan that applies for funding under this NOFA.

Certified Contractor—A contractor, inspector, risk assessor, supervisor or other who has successfully completed a training program approved by the appropriate Federal agency and who meets any other requirements for certification or licensure established by such agency or who is certified by any State through a program which has been found by such Federal agency to be at least as rigorous as the training and certification standards and requirements found in Appendix E of this NOFA. All lead-hazard identification or control work shall be performed by workers and supervisors who have passed a Federal training program or a State training program found by such Federal agency to be at least as rigorous as the Federal program.

Certified Inspector and Certified Risk Assessor—Included in the definition of "certified contractor," above.

Clearance Testing and Examination—A HUD-required visual examination and collection of environmental samples by a certified inspector or certified risk assessor, and laboratory analysis by an accredited laboratory upon completion of lead-hazard control work. The unit must undergo wipe testing showing that it has lead dust levels below HUD's interim standards. Current standards are: for bare and carpeted floors (100 µg/ft² [micrograms/square foot]); interior

window sills (500 µg/ft²); and window troughs (wells), exterior concrete or other rough surfaces (800 µg/ft²). (These interim standards may be revised subject to EPA's issuance of regulations.)

Eligible Housing—Target housing that qualifies as eligible housing under section 1011(a) of the Residential Lead-Based Paint Hazard Reduction Act of 1992, as amended by section 217 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Pub. L. 104-134; 110 Stat. 1321, approved April 26, 1996) (See Appendix C of this NOFA for criteria for eligible housing units and Appendix D for a list of HUD's programs and their eligibility or ineligibility for receiving assistance under this grant program.) The term does not include any public housing (whether Federal or locally supported), any federally owned housing, or any federally assisted housing.

Encapsulation—The application of any covering or coating that acts as a barrier between the lead-based paint and the environment and that relies, for its durability, on adhesion between the encapsulant and the painted surface, and on the integrity of the existing bonds between paint layers, and between the paint and the substrate.

Enclosure—The use of rigid, durable construction materials that are mechanically fastened to the substrate to act as a barrier between the lead-based paint and the environment.

Federally Assisted Housing—Residential dwellings receiving project-based assistance under programs including:

- (1) Section 221(d)(3) or section 236 of the National Housing Act;
- (2) Section 1 of the Housing and Urban Development Act of 1965;
- (3) Section 8 of the United States Housing Act of 1937; or
- (4) Sections 502(a), 504, 514, 515, 516, and 533 of the Housing Act of 1949.

"Federally Assisted Housing" is *not* eligible for assistance under the HUD Lead-Based Paint Hazard Control Grant Program. (See Appendix D of this NOFA.)

Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing (June 1995)—HUD's manual of lead hazard control practices (commonly referred to as the Guidelines) which provide detailed, comprehensive, technical information on how to identify lead-based paint hazards in housing and how to control such hazards safely and efficiently. (The Guidelines replace the HUD "Lead-Based Paint: Interim Guidelines for Hazard Identification and Abatement in Public and Indian Housing.")

Hazardous Waste—As defined in EPA regulations (40 CFR 261.3). Solid waste, or a combination of solid wastes, that because of its quantity; concentration; or physical, chemical, or infectious characteristics may:

(1) Cause, or significantly contribute to increases in mortality, serious and irreversible, or incapacitating but reversible illness; or

(2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed.

HEPA Vacuum—(High Efficiency Particulate Air)—A vacuum cleaner fitted with a filter capable of removing particles of 0.3 microns or larger at 99.97 percent or greater efficiency from the exhaust air stream.

Interim Controls—A set of measures designed to temporarily reduce human exposure or possible exposure to lead-based paint hazards. Such measures include specialized cleaning, repairs, maintenance, painting, temporary containment, and management and resident education programs. Interim controls include dust removal; paint film stabilization; treatment of friction and impact surfaces; installation of soil coverings, such as grass or sod; and land-use controls.

Laboratory Analysis—As used for paint, dust-wipes or soil, analysis for lead by an accredited laboratory in accordance with the requirements and limitations of its accreditation.

Lead-Based Paint—Any paint, varnish, shellac, or other coating that contains lead equal to or greater than 1.0 mg/cm² as measured by XRF or laboratory analysis, or 0.5 percent by weight (5,000 µg/g, 5,000 ppm, or 5,000 mg/kg) as measured by laboratory analysis. (Local definitions may vary.)

Lead-Based Paint Hazard—A condition in which exposure to lead from lead-contaminated dust, lead-contaminated soil, or deteriorated lead-based paint would have an adverse effect on human health (as established by the EPA Administrator under Title IV of the Toxic Substances Control Act). Lead-based paint hazards include for example, deteriorated lead-based paint, dust levels above applicable standards, and bare leaded soil above applicable standards.

Lead-Based Paint Hazard Control: Activities to control and eliminate lead-based hazards, including interim controls, abatement and complete abatement.

Lead-Contaminated Dust—Surface dust in residences that contains an area or mass concentration of lead in excess of the standard established by the EPA Administrator, pursuant to Title IV of

the Toxic Substances Control Act. Until the EPA standards are established, the HUD-recommended clearance and risk assessment standards for leaded dust are 100 µg/ft² on floors, 500 µg/ft² on interior window sills, and 800 µg/ft² on window troughs (wells), exterior concrete or other rough surfaces; criteria for work under this grant shall be at least as stringent as these standards.

Lead-Contaminated Soil—Bare soil on residential property that contains lead in excess of the standard established by the EPA Administrator, pursuant to Title IV of the Toxic Substances Control Act. The HUD-recommended standard and interim EPA guidance is 400 µg/g for high-contact play areas and 2,000 µg/g in other bare areas of the yard; criteria for work under this grant shall be at least as stringent as these standards. Soil contaminated with lead at levels greater than or equal to 5,000 µg/g should be abated by removal or paving.

mg—milligram; 1/1,000 of a gram; equal to about 35/1,000,000 (35 millionths) of an ounce (an ounce is equal to about 28,400 mg).

Potentially Responsible Party (PRP)—Any individual or entity including owners, operators, transporters, or generators who may be liable under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) section 107(a).

Replacement—A strategy of abatement that entails the removal of building components coated with lead-based paint (such as windows, doors, and trim) and the installation of new components free of lead-based paint.

Residential Dwelling—This term means either:

- (1) A single-family dwelling, including attached structures, such as porches and stoops; or
- (2) A single-family dwelling unit in a structure that contains more than one separate residential dwelling unit and in which each unit is, or is intended to be used or occupied, in whole or in part, as the home or residence of one or more persons.

Risk Assessment—An on-site investigation of a residential dwelling to discover any lead-based paint hazards. Risk assessments include an investigation of the age, history, management, maintenance of the dwelling, and the number of children under age 6 and women of child-bearing age who are residents; a visual assessment; limited environmental sampling (i.e., collection of dust wipe samples, soil samples, and deteriorated paint samples); and preparation of a report identifying acceptable abatement and interim control strategies based on specific conditions.

State Certification Program—(see Appendix E of this NOFA—Elements of a State Certification Program)

Substrate—A surface on which paint, varnish, or other coating has been applied or may be applied. Examples of substrates include wood, plaster, metal, and drywall.

Target Housing—Any residential unit constructed before 1978, except dwellings for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside in such housing for the elderly or persons with disabilities) or any 0-bedroom dwelling.

Testing—The measurement of lead in painted surfaces by Federal- or State-certified personnel using a portable X-ray fluorescence analyzer (XRF) operated in accordance with its manufacturer's operating instructions and its Performance Characteristics Sheet (PCS), laboratory analysis by an accredited laboratory of paint samples, or other method(s) approved by HUD.

Title X—The Residential Lead-Based Hazard Reduction Act of 1992 (Title X of the Housing and Community Development Act of 1992, Pub. L. 102-550, approved October 28, 1992).

Trained Worker—For lead hazard control work, a worker who has successfully met all the requirements of a Federal or State-accredited lead-based paint training course in a particular discipline which meets, at a minimum, the requirements found in Appendix E of this NOFA.

µg (or ug)—Micrograms. The prefix micro means 1/1,000,000 (or one-millionth); a microgram is 1/1,000,000 of a gram and 1/1,000 of a milligram; equal to about 35/1,000,000,000 (35 billionths) of an ounce (an ounce is equal to 28,400,000 µg).

Wipe Sampling for Settled Lead-Contaminated Dust—The collection of settled dust samples from surfaces to measure for the presence of lead. Samples must be analyzed by an accredited laboratory. For clearance purposes, settled dust sampling shall be performed in accordance with the HUD Guidelines. Surfaces sampled must meet the current HUD standards for clearance. All surfaces shall have no more than the maximum allowable standards. (See "Clearance Testing and Examination.")

XRF Analyzer—An instrument that determines lead area concentration in painted surfaces in units of milligrams per square centimeter (mg/cm²) using the principle of x-ray fluorescence (XRF). For purposes of the grant program, and as used in the Guidelines, the term XRF analyzer only refers to portable instruments manufactured to

analyze paint, and does not refer to laboratory-grade units or portable instruments designed to analyze soil or dust. XRF analyzers are to be operated in accordance with their manufacturer's operating instructions and their Performance Characteristics Sheet (PCS).

Section 3. Purpose and Description

3.1 Purpose and Authority

Hazard-control grants are to assist State and local governments in undertaking programs for the identification and control of lead-based paint hazards in eligible privately-owned housing units for rental occupants and owner occupants. (Appendix D of this NOFA lists HUD-associated housing programs that may have dwellings that meet the definition of eligible housing.) Approximately forty-six million dollars (\$46 million) is being made available to fund approximately 12–15 Category A grants to assist State and local governments in undertaking lead-based paint hazard control in eligible privately-owned housing. Previously unfunded applicants are eligible to receive grants of \$1 million to \$4 million each. Existing grantees which are applicants are eligible to receive Category A grants of \$1 million to \$3 million each. A maximum of 33 percent of the funds under Category A of this NOFA shall be available to previous Lead-Based Paint Hazard Control grantees which meet the additional performance-based threshold criteria set forth in this NOFA. The applications of existing grantees shall be evaluated and scored as a separate class and will not be in competition with previously unfunded applicants. This limitation is imposed to build capacity in those areas where no previous grant supported work has been done, but still retain the Department's ability to target some funds to areas of greatest need. Approximately four million dollars (\$4 million) will be available to fund a maximum of eight (8) Category B grants of \$500,000 to \$2 million each. Funds available under Category B are intended to promote coordination between Superfund or the brownfield initiative with the HUD Lead-Based Paint Hazard Control Grant Program, to maximize the benefits provided under each program, and to involve the private sector. These funds are to be used to control lead-based paint hazards at Superfund or brownfield sites where Superfund or brownfield dollars will be spent to control lead-contaminated soil, and probably housing exteriors, and HUD grant dollars will be used to control

lead-based paint hazards in eligible privately-owned housing units.

Proposals may be submitted under both categories of assistance. The amounts constitute the total request for the duration of the project. Grants are authorized under section 1011(a)–(f) of Title X.

The purposes of this program include:

(a) Implementation of a national strategy, as defined in Title X, to build the infrastructure necessary to eliminate lead-based paint hazards in all housing, as widely and expeditiously as possible;

(b) Encouragement of effective action to prevent childhood lead poisoning by establishing a workable framework for lead-based paint hazard identification and control;

(c) Mobilization of public and private resources, involving cooperation among all levels of government and the private sector, to develop the most promising, cost-effective methods for identifying and controlling lead-based paint hazards; and

(d) To the greatest extent feasible, promoting job training, employment, and other economic lift opportunities for low-income and minority residents and businesses which are owned by and/or employ low-income and minority residents as defined in 24 CFR 135.5 (See 59 FR 33881, June 30, 1994).

3.2 Background

Lead is a powerful toxicant that attacks the central nervous system and is particularly damaging to the neurological development of young children. Pregnant women can transfer lead through the placenta to the fetus. Lead-based paint (LBP) is one of the major sources of lead in the environment. In addition to paint, lead may be found in dust, soil, drinking water, food, emissions from leaded gasoline combustion, and industrial emissions. Human exposure to lead is found by measuring blood samples for the presence of lead.

Based upon additional analysis in 1995 of the data generated from the national housing survey conducted for HUD (Report on the National Survey of Lead-Based Paint in Housing, June 1995), of all occupied housing units built before Congress banned the use of lead-based paint in 1978, approximately 83 percent or 64.4 million housing units are estimated to have lead-based paint somewhere on the exterior or interior of the building. Approximately 90 percent of the dwellings built prior to 1960 have lead-based paint. Older dwellings are more likely to have higher concentrations of lead on painted surfaces and greater surface area coverage. Although intact lead-based

paint poses little immediate risk to occupants, non-intact paint which is chipping, peeling, or otherwise deteriorating may present an immediate risk to occupants. Therefore, of particular concern are the 14.4 million housing units that contain deteriorated lead-based paint and/or lead-contaminated dust and the 3.3 million units that are occupied by young children. Approximately half of these units are occupied by families with incomes lower than the national median.

HUD has been actively engaged in a number of activities relating to lead-based paint as a result of the Lead-Based Paint Poisoning Prevention Act (LBPPPA), 1971, as amended, 42 U.S.C. 4801–4846. Title X provides major initiatives and more detailed requirements for this NOFA. (Appendix A of this NOFA identifies relevant Federal regulations and guidelines referred to in this NOFA.)

In June 1995, HUD published Guidelines for the Evaluation and Control of Lead-Based Paint in Housing (Guidelines) (See Appendix A of this NOFA). These Guidelines provide detailed, comprehensive, technical information on how to identify lead-based paint hazards in housing and how to control such hazards safely and efficiently. These Guidelines replace the Interim Guidelines developed in 1990.

In July 1995, the Task Force on Lead-Based Paint Hazard Reduction and Financing, which was established pursuant to Section 1015 of Title X, presented its final report to HUD and the Environmental Protection Agency (EPA). The Task Force Report, entitled Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing, (See Appendix A of this NOFA) recommended a number of actions which are needed to develop comprehensive, health-protective, cost-effective, and feasible approaches to solving the most significant environmental health hazard facing America's children. In dealing with the estimated 64.4 million housing units with lead-based paint, the Task Force, using the Title X framework for redefining the problem, moved beyond the mere presence of lead-based paint and focused on the conditions that can expose a child to lead hazards—deteriorating lead-based paint, lead-contaminated dust and bare lead-contaminated soil. The Task Force recommendations therefore focus on addressing lead hazards in the approximately 15 million housing units estimated to contain lead hazards, and preventing new lead hazards in the balance of the housing stock. Children

with elevated blood lead levels are disproportionately located in older and poorer neighborhoods in the nation's central cities. More than one-third of African-American children living in large central cities have elevated blood lead levels. This NOFA incorporates many of the recommendations outlined in the Task Force Report.

The Environmental Protection Agency (EPA), with assistance from HUD and the Centers for Disease Control and Prevention (CDC), operates the National Lead Information Center which includes an automated consumer information Hotline 1-800-LEADFYI (1-800-532-3394) and a Clearinghouse for lead-based paint resources and assistance 1-800-424-LEAD (1-800-424-5323).

In the **Federal Register** of August 29, 1996, the EPA published the final rule pursuant to sections 402 and 404 of the Toxic Substances Control Act (TSCA), as amended by Title X (see 40 CFR part 745 Lead; Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities) for training and certification requirements for lead-based paint contractors, inspectors, risk assessors, designers and workers; and its requirements for a model state program. Until State Lead-Based Paint Contractor Certification and Accreditation Programs are authorized by EPA, State programs should be at least as protective as outlined in Appendix E of this NOFA. State Lead-Based Paint Contractor Certification and Accreditation Programs meeting the requirements under Appendix E of this NOFA are considered acceptable to HUD and EPA for purposes of the grant programs announced in this NOFA.

3.2.1 Previous Lead-Based Paint Hazard Control Grant Awards

This NOFA is for a fifth round of grants. In Fiscal Years 1992, 1993, 1994, and 1996, HUD conducted competitions and approved a total of 84 Lead-Based Paint Hazard Control grants for approximately \$335 million dollars. There was no competition in FY 1995.

3.3 Allocation Amounts

(a) Amounts

Approximately \$46 million will be made available for the Category A grant program from the appropriations made for the lead-based paint hazard reduction program in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Pub.L. 104-204, approved September 26, 1996) (FY 1997 Appropriations Act).

(b) Residual Funds

In the selection process, once available funds have been allocated to meet the full requested and/or negotiated amounts of the top eligible applicants, HUD reserves the right, in successive order, to offer any residual amount as partial funding to the next eligible applicant. Such applicant(s) shall have not more than 7 calendar days to accept, or to decline and reapply in a future round, provided HUD, in its sole judgment, is satisfied that the residual amount is sufficient to support a viable, though reduced effort, by such applicant(s).

(c) Goals

Because lead-based paint is a national problem, these funds are awarded in a manner that:

- Maximizes the number of housing units in which lead-hazard control occurs;
- Stimulates cost-effective State and local approaches that can be replicated in as many settings as possible;
- Disperses the grants as widely as possible across the nation;
- Builds local capacity; and
- Affirmatively furthers fair housing and environmental justice.

HUD expects to award approximately 12-15 Category A grants of \$1 million to \$4 million each on a cost-reimbursable basis.

3.4 Eligibility

Title X specifies the following eligibility requirements for grants to identify and control lead-based paint hazards in housing:

(a) Eligible Applicants

A State or unit of local government that has a currently approved Consolidated Plan is eligible to apply for a grant. However, applicants are advised that in selecting grantees under this NOFA, the Secretary or his designee is unlikely to select applicants that were previously funded under the FY 1996 NOFA (Round Four), issued May 14, 1996 (61 FR 24408) or any applicant which has been awarded two (2) Lead-Based Paint Hazard Control Grants. As stated previously, approximately forty-six million dollars (\$46 million) is being made available to fund approximately 12-15 Category A grants to assist State and local governments in undertaking lead-based paint hazard control in eligible privately-owned housing. Previously unfunded applicants are eligible to receive grants of \$1 million to \$4 million each. Existing grantees which are applicants are eligible to receive Category A grants of \$1 million to \$3 million each. A maximum of 33

percent of the funds under Category A of this NOFA shall be available to previous Lead-Based Paint Hazard Control grantees which meet the additional performance-based threshold criteria set forth in this NOFA. The applications of existing grantees shall be evaluated and scored as a separate class and will not be in competition with previously unfunded applicants. This selection decision will be pursuant to the Secretary's authority to ensure geographic distribution and to ensure that available funds are used effectively to promote the purposes of Title X. (See Section 4.3, Rating Factors, for additional discussion of this consideration for selection.)

(b) Certified Performers

Funds shall be available only for projects conducted by contractors, risk assessors, inspectors, workers and others engaged in lead-based paint activities who meet the requirements of a State Lead-Based Paint Contractor Certification and Accreditation Program that is at least as protective as the Federal certification program standards outlined in Appendix E to this NOFA or which meets the requirements of a State program authorized by EPA under the requirements of Section 404 of the Toxic Substances Control Act (TSCA).

(c) Eligible Activities

The following direct and support activities are eligible under this grant program: (HUD encourages local innovation in performing work under this grant.) HUD reserves the right, in negotiating the grant agreement, to delete budget items that, in its judgment, are not necessary for the direct support of program purposes, and to request the grantee to redirect the deleted sums to other acceptable purposes, or to make a corresponding reduction in the grant award.

(1) *Direct Project Elements* (whether activities of the grantee or sub-grantees or other sub-recipients):

- Performing risk assessments, inspections and testing of eligible housing constructed prior to 1978 to determine the presence of lead-based paint, lead dust, or leaded soil through the use of acceptable testing procedures.

- Conducting Lead Hazard Control which may include any combination of the following:

- Interim control of lead-based paint hazards in housing;
- Hazard abatement for programs that apply a differentiated set of resources to each unit, dependent upon conditions of the unit and the extent of hazards; and

- Complete abatement of lead-based paint and lead-based paint hazards, including soil and dust, by means of removal, enclosure, encapsulation, or replacement methods.

- Carrying out temporary relocation of families and individuals during the period in which hazard control is conducted and until the time the affected unit receives clearance for reoccupancy.

- Conducting pre-hazard control blood lead testing of children under the age of six residing in units undergoing risk assessment, inspection or hazard control.

- Performing blood lead testing and air sampling to protect the health of the hazard-control workers, supervisors, and contractors.

- Undertaking minimal housing rehabilitation activities under this program that are specifically required to carry out effective hazard control, and without which, the hazard control could not be effected. Grant funds from this program may also be used for the lead-based paint hazard-control component in conjunction with other housing rehabilitation programs.

- Conducting pre and post-hazard control dust-wipe testing and analysis.

- Carrying out engineering and architectural costs that are necessary to, and in direct support of, lead hazard control.

- Providing training to low-income persons for the purposes of lead-based paint worker or contractor certification and/or licensing.

- Conducting general or targeted community awareness or education programs on lead hazard control and lead poisoning prevention. This activity would include educating owners of rental properties to the provisions of the Fair Housing Act. It would also include making all materials available in alternative formats for persons with disabilities (e.g.; braille, audio, large type), upon request.

- Securing liability insurance for lead-hazard control activities.

- Supporting data collection, analysis, and evaluation of grant program activities. This direct project activity includes compiling and delivering such data as may be required by HUD. For estimating purposes, an applicant should consider devoting 3 percent of the total grant sum for this purpose. (This 3 percent does not include the blood lead and environmental testing costs.) Note that this activity is *not* included in administrative costs, for which there is a separate 10 percent limit.

- Preparing a final report at the conclusion of grant activities.

(2) *Support Elements:*

- Administrative costs of the grantee (maximum of 10 percent; (see Appendix B of this NOFA for definition)).

- Program planning and management costs of sub-grantees and other sub-recipients.

(d) *Ineligible Activities*

Grant funds shall not be used:

(1) To purchase real property.

(2) To purchase capital equipment having a per unit cost in excess of \$5,000, except for XRF analyzers. If purchased, capital equipment and the XRF analyzers shall remain the property of the grantee at the conclusion of the project. Funds may be used, however, to lease equipment specifically for the Lead-Based Paint Hazard Control Grant Program. If leased equipment, other than XRF analyzers, becomes the property of the grantee as the result of a lease arrangement, the leased equipment becomes the property of the grantee at the end of the grant period; and

(3) For chelation or other medical treatment costs related to children with elevated blood lead levels. Non-Federal funds used to cover these costs may be counted as part of the required matching contribution.

3.5 *Limitations on the Use of Assistance*

(a) Pursuant to the Coastal Barrier Resources Act (16 U.S.C. 3501), grant funds may not be used for properties located in the Coastal Barrier Resources System.

(b) Under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001-4128), grant funds may not be used for construction, reconstruction, repair or improvement or lead-based paint hazard control of a building or mobile home which is located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazards unless:

(1) The community in which the area is situated is participating in the National Flood Insurance Program in accordance with the applicable regulations (44 CFR parts 59-79), or less than a year has passed since FEMA notification regarding these hazards; and

(2) Where the community is participating in the National Flood Insurance Program, flood insurance on the property is obtained in accordance with section 102(a) of the Flood Disaster Protection Act (42 U.S.C. 4012a(a)). Applicants are responsible for assuring that flood insurance is obtained and maintained for the appropriate amount and term.

(c) The National Historic Preservation Act of 1966 (16 U.S.C. 470) (NHPA) and the regulations at 36 CFR part 800 apply to the lead-based paint hazard control activities that are undertaken pursuant to this NOFA. HUD and the Advisory Council for Historic Preservation have developed an optional Model Agreement for use by grantees and State Historic Preservation Officers in carrying out activities under this NOFA. (See Section 3.6, Environmental Review and Section 10, Findings and Certifications, in this NOFA.)

(d) The applicant/grantee, subgrantee, or other subrecipient shall comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) (42 U.S.C. 4601-4655). These policies are described in HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition. No displacement (a permanent, involuntary move) is anticipated. However, to preclude avoidable claims for relocation assistance, all occupants (owner and tenants) shall, as soon as feasible, be notified in writing that they will not be displaced by the lead-based paint hazard-control program. In most cases, tenants and owner-occupants will be required to relocate temporarily to permit lead-based paint hazard-control activities to be carried out. All conditions of the temporary relocation must be reasonable. The policy regarding temporary relocation costs for owner-occupants who elect to participate in hazard-control is a matter of grantee discretion. However, the policy on paying for such costs should be in writing and administered consistently in all cases. With respect to tenants who will be required to relocate temporarily, at a minimum the tenant shall be provided:

(1) Reimbursement for all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including the cost of moving to and from the temporarily occupied housing and any increase in monthly rent/utility costs at that housing; and

(2) Appropriate advisory services, including reasonable advance written notice of the date and approximate duration of the temporary relocation; the address of the suitable, decent, safe, and sanitary dwelling to be made available for the temporary period; the reimbursement provisions of paragraph (e) of this section; and information on a resident's rights under the Fair Housing Act.

(e) Abatement waste disposal will be handled according to the requirements of the appropriate State or Federal regulatory agency. (See HUD Guidelines

for the disposal of hazard control waste that contains lead-based paint but is not classified as hazardous.)

(f) The applicant shall observe the procedures for worker protection established in the HUD Guidelines, as well as the requirements of the Occupational Health and Safety Administration (OSHA) (29 CFR 1926.62—Lead Exposure in Construction) (See Appendix A of this NOFA), or the State or local occupational safety and health regulations, whichever are most stringent. If other OSHA requirements published prior to the start of actual abatement included as part of lead hazard control work at any individual project site are more stringent than the Guidelines, those more stringent OSHA standards shall govern.

(g) Lead hazard control methods that will not be allowed are: open-flame burning, dry scraping (except immediately around electrical circuits and plumbing fixtures), uncontrolled abrasive blasting, machine sanding without HEPA attachments or use of chemicals containing methylene chloride. The applicant is cautioned that methods that generate high levels of lead dust, such as abrasive sanding, shall be undertaken only with requisite worker protection, containment of dust and debris, suitable clean-up, and clearance.

3.6 Environmental Review

In accordance with the Multifamily Housing Property Disposition Reform Act of 1994, HUD regulations in 24 CFR part 58 provide that recipients of lead-based paint hazard control grants will assume Federal environmental review responsibilities. Recipients of a grant under this NOFA will be given guidance in carrying out these responsibilities.

3.7 Objectives and Requirements

(a) Generally

Grantees will be afforded considerable latitude in designing and implementing the methods of lead-based paint hazard control to be employed in their jurisdictions. HUD is interested in promoting lead hazard control approaches that result in the reduction of this health threat for the maximum number of low-income residents, and that demonstrate replicable techniques that are cost-effective and efficient. Flexibility will be allowed within the parameters established below. It is critical that written policies and procedures for all phases of lead hazard control, including risk assessment, inspection, pre-hazard control blood lead testing, financing, relocation and

clearance testing be clearly established in writing and adhered to by all applicants, subcontractors, sub-grantees, sub-recipients, and their contractors. The Department has found that the establishment of written procedures clearly assigning duties to participating agencies and individuals helps to protect children, families, and workers during lead hazard control work.

Proposed methods requiring a variance from the standards or procedures cited below will be considered on their merits in a separate HUD review and approval process after the grant award is made and a specific justification has been presented. When such a request is made, either in the application or during the planning phase, HUD intends to consult with experts from both the public and private sector as part of its final determinations and will document its findings in an environmental impact assessment. Approval of any proposed modifications will not involve a lowering of standards that would have a potential to adversely affect the health of residents, contractors or workers, or the quality of the environment.

(b) Data Collection

Grantees will be required to collect the data necessary to document the various lead hazard control methods employed in order to determine the relative cost and effectiveness of these methods in reducing or eliminating lead-based paint hazards. Pre- and post-lead hazard control environmental dust-wipe sampling and laboratory analysis is a requirement.

(c) Lead Hazard Control Testing—Schedule

In developing the application cost proposal, applicants shall include costs for the pre- and post hazard control testing for each dwelling that will undergo either a lead-based paint risk assessment and/or inspection and hazard control according to HUD Guidelines, as follows:

(1) *XRF on-site (or supplementary laboratory) testing*: Conducted according to HUD Guidelines. Pretest every room or area in each dwelling unit planned for hazard control, using each XRF analyzer in accordance with its manufacturer's operating instructions and its Performance Characteristics Sheet (PCS);

(2) *Blood lead testing*: Before lead hazard control work begins, the testing of each occupant who is a child under six years old according to the recommendations contained in Preventing Lead Poisoning in Young Children, 1991 Centers for Disease

Control and Prevention (CDC). (See Appendix A of this NOFA.)

(3) *Dust testing*: Conducted according to the HUD Guidelines.

(A) Pretest before lead hazard control work begins;

(B) Clearance testing before reoccupying a unit or area; and

(C) Test at 12-months after the unit is reoccupied.

(d) Testing

(1) *Generally*. All testing and sampling shall conform to the HUD Guidelines. Note that it is particularly important to provide this full cycle of testing for hazard control, including interim controls, even though the testing itself may become a substantial part of the cost per unit.

(2) *Required Thresholds for Hazard Control*. While the Department's Guidelines (see Appendix A of this NOFA) employ two hazard-control thresholds, one milligram per square centimeter (1.0 mg/cm²) or 0.5 percent by weight, applicants may utilize other thresholds, provided that the alternative threshold is justified adequately and is accepted by HUD. The justification must state why the applicant believes the proposed threshold will provide satisfactory health protection for occupants, and must discuss cost savings and benefits expected to result from using the proposed approach.

(3) *Surfaces which require lead hazard control*. HUD's Guidelines identify hazards considered to be of greatest immediate concern to young children and which require hazard control to be undertaken. Children are most frequently exposed to the following hazards: Lead-contaminated dust, deteriorated lead-based paint; and bare, accessible lead contaminated soil. Friction, chewable, and impact surfaces with intact lead-based paint are also of concern, but do not necessarily need to be treated, depending on dust testing results. Friction surfaces are subject to abrasion and may generate lead-contaminated dust in the dwelling; chewable surfaces are protruding surfaces that are easily chewed on by young children; and impact surfaces may become deteriorated through forceful contact. The applicant may choose to treat fewer surfaces or apply other hazard control techniques, provided that an adequate rationale, including periodic monitoring, is presented to and accepted by HUD. The rationale must state why the applicant believes the proposed approach will provide satisfactory health protection for occupants and at the same time, provide cost savings or other benefits.

(4) Grantees shall be required to meet the post-hazard control wipe-test clearance thresholds contained in the HUD Guidelines (See Appendix A of this NOFA). Wipe tests shall be conducted by a certified inspector who is independent of the lead hazard control contractor. Dust-wipe and soil samples, and any paint samples to be analyzed by a laboratory, must be analyzed by a laboratory accredited to perform those analyses (see Definitions). Units shall not be reoccupied until clearance levels are achieved.

Section 4. Grant Application Process for Category A

4.1 Submitting Applications for Grants

To be considered for Category A funding, an original and two copies of the application must be physically received in the Office of Lead Hazard Control, Department of Housing and Urban Development, Room B-133, 451 Seventh Street, S.W., Washington, D.C. 20410, no later than 3:00 P.M. (Eastern Time) on August 5, 1997. Electronic (FAX or equivalent) transmittal of the application is *not* an acceptable transmittal mode.

Separate proposals may be submitted by a jurisdiction for each category of assistance.

For Category A, the application must have clearly numbered pages, a complete table of contents and a limited number of appendices. The applicant narrative response to the Rating Factors is limited to a maximum of 25 pages. Responses must be typewritten on one (1) side only on 8½" x 11" paper using a 12 point font.

The above-stated application deadline is firm as to date and hour. In the interest of fairness to all competing applicants, the Department will treat as ineligible for consideration any application that is received after the deadline. Applicants should take this factor into account and make early submission of their materials to avoid any risk of loss of eligibility brought about by unanticipated delays, equipment breakdown, or delivery-related problems.

HUD will review each application to determine whether it meets all of the threshold criteria established for Category A under Section 4.2 of this NOFA. Nonresponsive applications will be declared ineligible for further consideration. Applications that meet all of the threshold criteria will be eligible to be scored and ranked, based on the total number of points allocated for each of the rating factors for Category A in Section 4.3 of this NOFA.

HUD intends to fund the highest ranked applications within the limits of funding availability, but reserves the right to advance other eligible applicants in funding rank, if necessary, to assure geographic diversity, to promote the purposes of Title X, to broaden the range of hazard control alternatives to be tested, or to enhance data reliability.

4.2 Threshold Requirements for Category A Grants

(a) Purpose

The application must be for funds to identify and control lead hazards in eligible housing (see Appendix D of this NOFA for program-by-program listing of eligible HUD-associated housing programs).

(b) Eligible Applicants

An applicant must be a State or unit of local government that has a currently approved Consolidated Plan. Applicants under this NOFA are permitted to submit documentation that HUD approved their current program year Consolidated Plan. Applicants are to submit, as an appendix, a copy of the lead-based paint element included in the approved Consolidated Plan. Applicants that do not have a currently approved Consolidated Plan, but are otherwise eligible for this grant program, must include their abbreviated Consolidated Plan which includes a lead-based paint hazard control strategy developed and submitted in accordance with 24 CFR 91.235. Applicants with outstanding findings of civil rights violations are not eligible for funding.

(c) Matching Contribution

Each applicant shall provide a matching contribution of at least 10 percent of the requested grant sum. This may be in the form of a cash or in-kind contribution or a combination of both.

(d) Contractor Certification Program Requirement

Each applicant must carry out its hazard control program under an operational State program established pursuant to lead-based paint contractor certification and accreditation legislation that is at least as protective as the training and certification program requirements cited in Appendix E of this NOFA. Applicants should indicate which of the following situations, (1) or (2), applies with respect to contractor certification.

(1) A State applicant shall furnish copies of the existing statutes, regulations or other appropriate documentation regarding the State's Lead-Based Paint Contractor

Certification and Accreditation Program which meet the standards set forth in paragraph (d) above.

(2) Other applicants may be approved for a conditional grant with funding subject to the following provisions:

(A) A State applicant which has existing legislation acceptable to HUD, but which has not implemented an acceptable lead-based paint contractor certification program, shall furnish at the time of the application, written assurances from the Governor that an acceptable certification program will be implemented within 1 year from the date of the application deadline date and that the designated agency implementing the certification program shall offer training sessions for contractors leading to certification within six (6) months of the effective date of implementing regulations. If legislative approval of proposed regulations is also required, a similar written assurance must be provided by the chairs of committees having jurisdiction.

With the exception of costs incurred for planning purposes, HUD will not release any funds for the lead hazard control phase of the grant program until the State has implemented an acceptable lead-based paint contractor certification and accreditation program and has submitted and secured HUD approval of the grantee Request for Release of Funds (HUD Form 7015.15) which certifies that the grantee has fulfilled the environmental review requirements of the grant.

(B) Local government applicants in States which have not implemented an acceptable contractor certification program must provide assurances that only certified contractors and trained workers from other State certification programs acceptable to HUD will be used in conducting lead hazard control work.

Applicants are advised that if the commitment to implement a certification/training program or use certified contractors is not fulfilled within the stated time, the conditional grant agreement may be immediately terminated.

(e) Continued Availability of Lead Safe Housing to Low-Income Families

Units in which lead hazards have been controlled under this program shall be occupied by and/or continue to be available to low-income residents as required by the statute (see Appendix C of this NOFA). Grantees are encouraged to maintain a listing of units in which lead hazards have been controlled for distribution and marketing to agencies

and families as suitable housing for children under six.

(f) Cooperation With Related Research and Evaluation

Applicants shall cooperate fully with any research or evaluation sponsored by HUD and associated with this grant program, including preservation of the data and records of the project and compiling requested information in formats provided by the researchers, evaluators or HUD. This cooperation may also include the compiling of certain relevant local demographic, dwelling unit, and participant data not contemplated in the applicant's original proposal. Participant data shall be subject to Privacy Act protection. For estimating purposes, an applicant shall devote three percent of the total grant sum for data collection and evaluation purposes, as discussed in Section 3.4, Eligibility, of this NOFA.

4.3 Rating Factors

HUD will use the following technical and financial criteria to rate and rank applications received in response to Category A of this NOFA. The Request for Grant Applications (RFGA) will provide guidance in responding to all the Rating Factors. The technical quality of an application will be rated, and then the strength, quality, and completeness of the financial and resources plan will be used to assess the likelihood that the technical plan can be carried out using the available resources. The maximum score possible under the rating factors is 110 points for previously unfunded applicants and 125 points for applicants which are existing grantees. (Applicants which are existing Lead-Based Paint Hazard Control grantees are eligible to receive a maximum of 15 additional points for performance related to implementing their most recent grant award.) The applications of existing grantees shall be evaluated and scored as a separate class and will not be in competition with previously unfunded applicants.

Applicants are advised, however, that in selecting grantees under this NOFA, the Secretary or his designee is unlikely to select applicants who were previously funded under the FY 1996 NOFA (Round Four) issued May 14, 1996 (61 FR 24408), or any applicant which has been awarded two (2) Lead-Based Paint Hazard Control Grants. As stated previously, approximately forty-six million dollars (\$46 million) is being made available to fund approximately 12–15 Category A grants to assist State and local governments in undertaking lead-based paint hazard control in eligible privately-owned housing.

Previously unfunded applicants are eligible to receive grants of \$1 million to \$4 million each. Existing grantees which are applicants are eligible to receive Category A grants of \$1 million to \$3 million each. A maximum of 33 percent of the funds under Category A of this NOFA shall be available to existing Lead-Based Paint Hazard Control grantees which meet the additional performance-based threshold criteria set forth in this NOFA. This selection prerogative will be exercised under the Secretary's authority to ensure that available funds are used effectively and to promote the purposes of Title X. See section 1011(d)(5) of Title X (42 U.S.C. 4852(d)(5)).

(a) Need (10 Points)

The scope and magnitude of the applicant's current lead-based paint problem for which grant program funds can be expected to have an impact. The applicant should document its unmet need for assistance. Examples should be the number and proportion of children with elevated blood lead levels; the number and proportion of housing units with deteriorating interior or exterior lead-based paint, lead-contaminated dust or bare lead-contaminated soil.

It is desirable for the applicant to include:

- (1) The age and condition of housing;
- (2) The number and percentage of low income families whose incomes do not exceed 80 percent of the median income for the area as determined by HUD, with adjustments for smaller and larger families;
- (3) The number and proportion of children at risk of lead poisoning; and
- (4) Other socioeconomic or environmental factors that document a need to establish or continue lead hazard control work in the applicant's jurisdiction.

(These data may be available in the applicant jurisdiction's currently approved Consolidated Plan, or derived from 1990 Census Data)

(b) Work Plan and Budget (50 Points)

The quality and cost-effectiveness of the applicant's proposed lead-based paint hazard control program. The work plan and budget should include the following elements:

- (1) *Program Management (10 points)*—A description of the way in which the project will be carried out during the period of performance (up to 36 months), including the participation of sub-grantees, contractors, sub-recipients, and others assisting in implementing the project. Specific time phased and measurable objectives should be identified and described for

carrying out the program plan. Existing grantees must provide an assurance that the lead hazard control activities proposed in the application will commence *concurrently* with lead hazard control work being conducted with previously awarded HUD lead-based paint grant funds. A detailed description of how this will be accomplished shall be provided.

(2) *Lead Hazard Control Strategy (35 points)*—

- The total number of owner occupied and rental units in which lead hazard control interventions will be undertaken.
- The degree to which the work plan focuses on eligible privately-owned housing units with children under the age of 6 years. Description of the planned approach to control lead hazards before children are poisoned and/or to control lead hazards in units where children have already been identified with an elevated blood lead level, including the referral of children with elevated blood lead levels for medical case management.
- The degree to which lead hazard control work will be done in conjunction with other housing rehabilitation, weatherization, code violation or other work.
- A description of the applicant's previous experience in reducing or eliminating lead-based paint hazards in conjunction with other Federal, State or locally funded programs.
- The process for the selection, prioritization, risk assessment and/or inspection, and enrollment of units of eligible privately-owned housing in which lead hazard control will be undertaken. (Housing having a risk assessment or inspection performed in accordance with the HUD Guidelines within 12 months of a grant award and identified with lead-based paint may be included in the already inspected inventory.)

• The testing methods, schedule, and costs for performing blood lead testing, risk assessments and/or inspections. (Identify the lead-based paint threshold for undertaking lead hazard control—e.g. 0.5 percent, 1.0 mg/cm² or other threshold established by statute, regulation or local ordinance.)

- The lead hazard control methods to be undertaken and the number of units to be treated for each method selected (Interim Controls, hazard abatement, and complete abatement). Provide an estimate of the per unit costs for each method planned in conducting lead hazard control and the time frames projected to initiate and complete lead hazard control work in units selected. Efforts to incorporate cost-effective

recommendations of the HUD Task Force Report: Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing (see Appendix A of this NOFA) should be included.

- A description of the financing mechanism, including eligibility criteria, terms, conditions and amounts available, to be employed in carrying out lead hazard control activities and the way in which these funds will be administered (e.g. use of grants, deferred loans, forgivable loans, other resources, private sector financing, etc.).

- The applicant's plan for the temporary relocation of occupants of units selected for lead hazard control work. (Use of safe houses and other housing arrangements, storage of household goods, stipends, incentives, etc.)

- Proposed community awareness, education and outreach programs in support of the applicant's work plan and objectives. General and/or targeted efforts undertaken to assist the program in reducing lead poisoning. To the extent possible, programs should be culturally sensitive, developmentally appropriate, and linguistically specific.

Existing grantees must provide a complete description of their progress and accomplishments related to implementing their original or amended lead hazard control strategy under their most recent grant award. If the strategy and/or methods proposed in this application differ from the applicant's existing grant, a description of the basis for this modified strategy should be included.

(3) *Program Evaluation and/or Data Collection* (5 points)—The applicant must identify the specific methods to be used, in addition to using HUD reporting or data collection forms, to measure progress and evaluate the program's effectiveness. The applicant should describe how the information will be obtained, documented and reported.

(4) *Budget (Not Scored)*—The applicant's proposed budget (for the maximum 36 month period of performance) will be evaluated for the extent to which it is reasonable, clearly justified, and consistent with the intended use of grant funds. HUD is not required to approve or fund all proposed activities. Applicants may devote up to 24 months for the planning and completion of lead hazard control activities and up to an additional 12 months for post-hazard control testing.

- All budget categories and costs (Part B of Standard Form 424A) and major tasks should be thoroughly documented and justified. Describe in detail the budgeted costs for each program

element included in the overall plan (administrative costs, program management, lead hazard control strategy, community awareness, education and outreach, and program evaluation and data collection).

(c) *Community and Private Sector Participation—[Place-Based Factor]* (20 Points)

For this rating factor, the Secretary's Representative will review and score all eligible applications received from their designated State and local jurisdictions. The extent to which the applicant has enlisted the broad participation of neighborhood, community, governmental and nongovernmental organizations and the private sector (for-profit and not-for-profit entities) in the hazard control program through specific commitments of time, effort, and resources. In implementing a lead-based paint hazard control program, substantial efforts must be made to collaborate and coordinate activities with other housing, health and environmental agencies and organizations in the applicant's jurisdiction. Such efforts might include: the formation of broad-based lead task forces; expansion of public and private cooperation and coordination of lead hazard control program services with other revitalization efforts such as Federally designated Urban or Rural Empowerment Zones, Enterprise Communities, or Supplemental Empowerment Zones, and, implementation of programmatic responses to environmental justice issues. (10 points)

To the greatest extent feasible, the applicant should promote job training, employment, and other economic lift opportunities for target area low-income residents and businesses in the hazard control program. (10 points)

Evidence of commitments should include organization names, their proposed levels of effort, resources and responsibilities of these participants, including clearly proposed plans for the employment of low-income residents. The absence of firm commitments, memoranda of understanding or agreements, and letters of participation and/or a discussion of levels of effort and responsibility will result in a reduced rating under this factor.

Existing grantees must provide a detailed description of their progress and accomplishments related to their efforts to enlist broad-based support and participation of the community and private sector as well as any plans to expand or enhance their efforts under this NOFA.

(d) *Applicant Capacity and Commitment to Hazard Control*. (15 Points for Previously Unfunded Applicants; 30 Points for Existing Grantees)

(The applications of existing grantees shall be evaluated and scored as a separate class and will not be in competition with previously unfunded applicants)—The capacity of the applicant to initiate and carry out the lead-based paint testing and hazard-control program successfully within the period of performance established. An existing grantee applicant must provide a description of its progress and achievements in implementing its most recent grant award within the period of performance. Existing grantee applicants must describe their plans to concurrently implement lead hazard control activities under this NOFA with work already undertaken with their most recent grant award.

- Describe the applicant's administrative organization, including staff who will be responsible for carrying out the responsibilities of the program. (As an appendix, the applicant should include a clearly identified organizational chart, as well as resumes, position descriptions, and vacancy announcements, including salaries of key personnel identified to carry out the requirements of this grant program.) Indicate for key personnel, the percentage of time to be devoted to the project and any portion of salary to be paid by the grant. A full-time day-to-day program manager is recommended. Describe how other principal components of the applicant agency or other organizations will participate in or otherwise support the grant program. (5 points)

- Describe the knowledge and experience of the overall proposed project director and day-to-day program manager in planning and managing large and complex interdisciplinary programs, especially involving housing rehabilitation, public health, or environmental programs. The percentage of time devoted to the project as well as the knowledge and experience of the project director and day-to-day program manager are significant factors to be considered. (3 points)

- The institutional capacity of the applicant, as demonstrated by prior experience in initiating and implementing lead hazard control efforts and/or related environmental, health, or housing projects should be thoroughly described. The applicant should indicate how this prior experience will be used in carrying out

its planned comprehensive Lead-Based Paint Hazard Control Grant Program. (5 points)

- At a minimum, the applicant shall provide a matching contribution of at least 10 percent of the requested grant sum. That contribution may be in cash, in-kind or a combination of both. In-kind contributions shall be given a monetary value. Community Development Block Grant funds are the only Federal funds which may be considered part of the 10 percent matching contribution and only when they are specifically dedicated as an integral part of the project (e.g. CDBG rehabilitation funds used in conjunction with lead hazard control work in units). Other resources committed to the program that exceed the minimum required 10 percent match will provide points for this rating factor. Each source of contributions, cash or in-kind, both for the required minimum and additional amounts, shall be supported by a letter of commitment from the contributing entity, whether a public or private source, which shall describe the contributed resources that will be used in the program. Staff in-kind contributions should be given a monetary value as discussed above. The absence of letters providing specific details and amount of the actual contributions will result in those contributions not being counted. (2 points)

• *Performance-Based Criteria for Existing Grantees Only.*

Applicants are advised that in selecting grantees under this NOFA, the Secretary or his designee is unlikely to select applicants which were previously funded under the FY 96 NOFA (Round Four) issued May 14, 1996 (61 FR 24408), or any applicant which has two (2) Lead-Based Paint Hazard Control Grants. This selection decision is pursuant to the Secretary's authority to ensure geographic distribution and to ensure that funds available under this NOFA are used effectively to promote the purposes of Title X and to target funds to areas of greatest need.

Grantees which have demonstrated measurable progress in the implementation of their *most recent grant award* as measured by expenditures and/or units completed or in-progress will receive more favorable consideration under this factor for award relative to other existing grantees applying under this NOFA. Progress will be judged from the effective starting date of the applicant's most recent lead-based paint hazard control grant award. (15 points)

(e) Actions Affirmatively Furthering Fair Housing in Department Programs (10 Points)

Extent to which proposal affirmatively furthers fair housing and environmental justice for all persons regardless of race, color, national origin, religion, sex, disability (including children with EBL), or familial status (size of family and number of children). Special consideration will be given to particularly innovative strategies and those designed to remedy the effects of identified past discrimination. Applicants with existing grants should discuss outstanding current activity on the factors specified below. Proposals which receive the full ten points will have addressed, in depth, the following issues:

(1) Outreach strategies and methodologies to provide lead hazard-free housing to all segments of the population: homeowners, owners of rental properties, and tenants; especially for occupants least likely to receive its benefits. Once the population to which outreach will be "targeted" is identified, (e.g.; homeowners who are racial minorities living in minority-concentrated areas or owners of properties with under-served tenants such as minority renters with large families containing young children), outreach strategies directed specifically to them should be multifaceted. This criterion goes beyond testing and hazard control; it concerns what happens to the units after the lead hazard control and tries to ensure that all families will have adequate, lead hazard-safe housing.

(2) Demonstrate how the funding would be used in conjunction with the State or local government's Fair Housing Planning strategy to overcome any identified impediment to fair housing choice, which pertains to lead-based paint, and how experience with this program will be used to update these documents. Specific impediments, plans for correcting the identified impediments, and planned updates to the analysis of impediments should be described.

(f) Lead-Hazard Control Integration (5 Points)

A description and/or specific plan of how the applicant will integrate lead hazard control activities with other housing, health, and environmental programs after the grant is completed. Applicants should review the Lead-Based Paint Hazard Reduction and Financing Task Force Report: Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing (See NOFA, Appendix A). Lead hazard

control integration plans may include:

(1) Incorporating lead-based paint maintenance and hazard control standards into housing codes and health regulations; (2) incorporating lead-based paint hazard control with other housing rehabilitation or code violation activities; (3) the use of public subsidies or other resources; (4) developing public-private lending partnerships to finance lead hazard control as part of acquisition and rehabilitation financing; (5) the use of revolving loan funds to finance future lead hazard control activities; and (6) the development and maintenance of a registry of lead-safe units with valid documentation of compliance with standards of lead hazard control and the process by which children, particularly those under age 6, are matched to lead-safe units.

Existing grantees must provide a description of the efforts they have undertaken to integrate lead hazard control activities beyond the duration of their currently funded program and how they plan on continuing and enhancing such efforts in the future.

Section 5. Checklist of Application Submission Requirements—Category A

5.1 Applicant Data

Applicants must complete and submit applications in accordance with the format and instructions contained in the application kit. The following is a checklist of the application contents that will be specified in the application kit:

(a) The name, mailing address, telephone number, and principal contact person of the applicant. If the applicant has consortium associates, sub-grantees, partners, major subcontractors, joint venture participants, or others contributing resources to the project, similar information shall also be provided for each of them.

(b) For State applicants, copies of existing statutes, regulations or other appropriate documentation regarding the State's Lead-Based Paint Contractor Certification and Accreditation Program. A State applicant which has existing legislation acceptable to HUD, but which has not implemented an acceptable lead-based paint contractor certification program, shall furnish assurances from the Governor that an acceptable certification program will be implemented within 1 year from the date of the application deadline date and that the designated agency implementing the certification program shall offer training sessions leading to certification within 6 months of the effective date of implementing

regulations. If legislative approval of proposed regulations is also required, a similar assurance must be provided by the chairs of committees having jurisdiction. Local government applicants in States which have not implemented an acceptable contractor certification program must provide assurances that only certified contractors and trained workers from State certification programs acceptable to HUD will be used in conducting lead hazard control work. (See Section 4.2(d) of this NOFA regarding this requirement.)

(c) Evidence of the applicant's commitment and experience in eliminating or reducing significant lead-based paint hazards in privately-owned eligible housing as detailed in the applicant's work plan for lead-based paint hazard control (See Rating Factor, Work Plan and Budget, in Section 4.3 of this NOFA).

(d) A detailed description of the funding mechanism, selection process, and other proposed activities that the applicant plans to use to assist any sub-grantees or sub-recipients under this grant.

(e) A detailed total budget with supporting cost justification for all budget categories of the Federal grant request. There shall be a separate estimate for the overall grant management element, "Administrative Costs," which are more fully defined in Appendix B of this NOFA. The budget shall include not more than 10 percent for administrative costs and not less than 90 percent for direct project elements (See Section 3.4 (c) Eligible Activities of this NOFA).

(f) Certification assuring that the applicant will conduct lead hazard control activities safely and effectively.

(g) An itemized breakout of the applicant's required matching contribution, including values placed on donated in-kind services; letters or other evidence of commitment from donors; and the amounts and sources of contributed resources.

(h) Memoranda of Understanding or Agreement, letters of commitment or other documentation describing the proposed roles of agencies, local broad-based task forces, participating community or neighborhood-based groups or organizations, local businesses, and others working with the program.

(i) Completed Forms HUD-2880, Applicant/Recipient Disclosure/Update Report, and SF-LLL, Disclosure of Lobbying Activities, where applicable (See Section 10. Findings and Certifications in this NOFA).

(j) Standard Forms SF-424, 424A, 424B, and other certifications and assurances listed in section 5.3 of this NOFA.

(k) A copy of the applicant's approval notification for the current program year for its Consolidated Plan. A copy of the applicant's lead hazard control element included in the current program year Consolidated Plan.

5.2 Proposed Activities

(a) Affected Housing and Population To Be Served

The applicant shall describe the size and general characteristics of the target housing within its jurisdiction, including a description of the housing's location, condition, and occupants, and a current estimate of the number of children under the age of six in these units. Other characteristics described in Section 4.3 *Rating Factor* (a)—"Need" should be provided. If specific area(s) (neighborhoods, census tracts, etc.) within an applicant's jurisdiction are specifically targeted for lead hazard control activities, the applicant shall describe these same characteristics for the area. Maps may be included as an appendix.

To the extent practical, preference shall be given to occupied eligible housing units with children under the age of 6. Vacant housing that subsequently will be occupied by low-income renters or owners should also be included in this description. In addition, as a measure of its ongoing commitment to lead-based paint programs, the applicant shall provide information on the magnitude and extent of the childhood lead poisoning problem within its jurisdiction and for any area(s) to be included in the lead hazard control program. Current efforts undertaken to provide health care services for children with elevated blood lead levels and efforts to address lead-based paint hazards shall be described.

(b) Discussion of Program Activities. (See Section 4.3 Rating Factors)

The applicant shall provide a discussion of the overall proposed hazard control program, including, but not limited to, information on the following:

- Needs Assessment
- Program Work Plan and Budget to include:

—Program Management;
—Lead Hazard Control Strategy;
—Number of eligible housing units, hazard control methods, blood lead and environmental testing methods, costs, financing mechanisms,

relocation plans, and community awareness and education;

- Program Evaluation and Data Collection;
- Budget Request;
- Community and Private Sector Participation;
- Ability to Implement the Lead Hazard Control Grant Program
- Methods to Affirmatively Further Fair Housing; and
- Future Integration and Coordination of Lead Hazard Control Activities With Other Programs.

5.3 Certifications and Assurances

The following certifications and assurances are to be included in all Category A applications:

(a) Compliance with environmental laws and authorities (24 CFR part 58).

(b) Compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. (Implementing Regulations at 49 CFR part 24; and HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition.)

(c) Compliance with Federal civil rights laws and requirements, including the authorities cited at 24 CFR 5.105.

(d) Assurance that financial management system meets the standards for fund control and accountability (24 CFR 85.20).

(e) Assurance that pre-hazard control, clearance, and 12 month post-hazard control testing will be conducted by certified performers.

(f) Assurance, to the extent possible, that blood lead testing, blood lead level test results, and medical referral and follow up are conducted for children under six years of age occupying affected units according to the recommendations of the Centers for Disease Control and Prevention (CDC). (See Appendix A of this NOFA—Preventing Lead Poisoning in Young Children, October, 1991.)

(g) Assurance that Lead-Based Paint Hazard Control Grant Program funds will not replace existing resources dedicated to any ongoing project.

(h) The application shall contain any other assurances that HUD includes in the application kit under this NOFA, including certification of compliance with the Drug-Free Workplace Act of 1988 in accordance with the requirements set forth at 24 CFR part 24, subpart F.

Section 6. Application Process for Category B

Section 6 Purpose and Description

6.1 Purpose and Authority

Category B provides funds for two Federal government agencies to work

cooperatively to reduce lead hazards to children. This category provides funds to control lead-based paint hazards at Superfund sites where Superfund dollars will be spent to control lead in soil hazards and HUD dollars will be spent to control lead-based paint hazards in residences.

In addition, for the first time, HUD is expanding the scope of Category B to include Brownfield sites. HUD hopes that by making funds available for use at Brownfield sites, the Department can fulfill an important part of its mission to provide safe, affordable housing. By including Brownfields, the Department is continuing another successful partnership with EPA that it began last year with the development of Category B. This partnership has enabled State and local governments to combine Federal programs to remedy specific problems, cutting across traditional program boundaries. This NOFA is an example of how HUD and EPA are working together to enable communities to determine how best to solve specific problems in their own jurisdictions.

For purposes of this NOFA, an eligible Brownfield site is one where the State or local government has made the Brownfield designation; there are one or more buildings that will be converted into low-income family residential units; the buildings to be converted are likely to have lead-based paint hazards that must be controlled and that the residential units will be for income eligible families.

Approximately 4 million dollars will be available in awards ranging from five-hundred thousand dollars (\$500 thousand) to 2 million dollars (\$2 million) available to each grantee. The amounts are for the total, multiyear work of a proposed project. Grants are authorized under section 1011(a)-(f) of Title X of the Housing and Community Development Act of 1992.

The purposes of this program include:

(a)(1) To demonstrate that Potentially Responsible Parties (PRPs), State and local governments, and other affected parties such as low-income residents can work together to maximize benefits both from Superfund actions and other lead-based paint hazard control activities. (A Potentially Responsible Party (PRP) is defined by Superfund as any individual or entity including owners, operators, transporters or generators who may be liable under section 107(a) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA)).

(2) To address the difficult urban housing problems at Brownfield sites that have been passed over for development and to demonstrate how

HUD and EPA, together with State and local governments and the private sector can work to solve this problem.

(b) To promote job training, employment, and other economic lift opportunities for low-income residents and businesses as defined in 24 CFR 135.5 (see 59 FR 33881, June 30, 1994, and Category A Section 3.1(d) of this NOFA).

Section 6.2 Background

This category brings together two Federal agencies, HUD and the Environmental Protection Agency (EPA), to address housing and environmental issues. These funds will be targeted to communities that have received a Brownfield site designation, or within 18 months of the application submission deadline date have undergone EPA Superfund cleanup activity. These funds will be used primarily for interior lead-based paint hazard control. Under this Category, HUD funds *may not* be used for soil cleanup at Superfund sites but may be used for soil cleanup at Brownfield sites.

A multiagency approach is needed to address deteriorating interior paint, exterior paint, and contaminated soil and dust simultaneously. HUD's lead-based paint hazard control grant program has typically been used to control primarily lead-based paint and dust both inside and outside homes. The HUD lead-based paint hazard control grant program may be also be used to deal with lead in soil on an optional basis as determined by grantees. EPA Superfund normally cleans up residential soils that are contaminated with hazardous substances from local Superfund sites. EPA Superfund does not generally address the problem of deteriorating interior lead-based paint because exposures from interior paint are generally not within the jurisdiction of the Superfund program. Exterior lead-based paint hazard control may be considered an eligible activity by the Superfund program.

As part of HUD's efforts towards the joint goals of environmentally safe housing and urban redevelopment of bypassed Brownfields sites, certain Brownfield sites will be eligible. HUD wants to encourage the provision of privately-owned low-income housing on sites that were once abandoned.

Category B targets: (1) Communities with Superfund sites that may or may not have participated in previous HUD lead-based paint hazard control grant programs; and (2) communities with eligible Brownfield sites. In addition, States or units of local government,

where privately-owned income eligible housing exists near Federal Facilities designated as Superfund sites, may apply for assistance under this NOFA. This Category will create a means for communities with a Superfund site(s) and/or Brownfield sites to address both lead-based paint inside and outside houses as well as soil cleanup. HUD has developed a place-based strategy that empowers local communities to combine government programs to remedy specific problems, cutting across traditional program boundaries. This NOFA is an example of how HUD and EPA are working together to enable communities to determine how best to solve specific problems in their local area.

An important product of this grant program will be to demonstrate how to address lead-based paint abatement issues at sites with multiple sources of lead, thereby addressing housing and environmental problems simultaneously. HUD expects that additional experience in this area will reduce abatement costs and offer creative strategies for overall lead risk reduction.

Section 6.3 Allocation Amounts

(a) Amounts

Approximately \$4 million will be available for the Category B grant program from the appropriations made for the lead-based paint hazard reduction program in the FY 1997 Appropriations Act.

(b) Residual Funds

In the selection process, once available funds have been allocated to meet the full requested amounts of the top eligible applicants, HUD reserves the right to offer any residual amount as partial funding to the next eligible applicant in successive order. Any such applicant shall have not more than 7 calendar days to accept or decline the grant. In addition, HUD reserves the right to award only one grant, should only one applicant be able to support a credible effort.

Section 6.4 Eligibility

Title X specifies the following eligibility requirements for grants to identify and control lead-based paint hazards in housing:

(a) Eligible Applicants

A State or unit of local government that has a current year approved Consolidated Plan is eligible to apply for a grant. Applicants that do not have a currently approved CHAS or Consolidated Plan, but are otherwise eligible for this grant program, must

include their abbreviated Consolidated Plan which includes a lead-based paint hazard control strategy developed and submitted in accordance with 24 CFR 91.235.

Under Category B, all eligible applicants compete equally, regardless of previous awards under the HUD Lead-Based Paint Hazard Control grant program. However, applicants are advised that in selecting grantees under this NOFA, the Secretary or his designee is unlikely to select applicants that were previously funded under Category B of the FY 1996 NOFA (Round Four), issued May 14, 1996 (61 FR 24408)

(b) Certified Performers

See Category A, Section 3.4(b).

(c) Eligible Activities

See Category A, Section 3.4(c).

(d) Ineligible Activities

See Category A, Section 3.4(d).

Section 6.5 Limitations on the Use of Assistance

See Category A, Section 3.5.

Section 6.6 Environmental Review

See Category A, Section 3.6.

Section 6.7 Objectives and Requirements

See Category A, Section 3.7.

Section 7 Grant Application Process

Section 7.1 Submitting Applications for Grants

See Category A, Section 4.1.

(There are no page restrictions or format requirements for Category B applications.)

Section 7.2 Threshold Requirements for Category B

(a) Purpose

The application must be for funds to identify and control lead hazards in privately-owned eligible housing units at or near Superfund sites where lead has been identified as a major contaminant or for privately-owned eligible housing units at or near Brownfield sites. (See Appendix D of this NOFA for program-by-program listing of eligible HUD-associated housing programs.)

See Category A (Section 4.2(b)–(f)) for eligible applicants, matching contribution, contractor certification program requirement, and other threshold requirements.

(b) Status of Superfund Remediation

Jurisdictions are eligible only if remediation activity was completed

within 18 months of the application submission deadline date, or the jurisdiction has a Record of Decision with a completion date for the remediation work of no more than three years from the date of application submission deadline date, or the site is undergoing remedial action or will undergo removal action within 18 months after the application submission deadline date.

(c) Brownfield Sites

Jurisdictions are eligible where the State or local Government has made the Brownfield designation; there are one or more buildings that will be converted into residential units; the buildings to be converted are likely to have lead-based paint hazards that must be controlled; and the residential units will be for income eligible families.

Section 7.3 Rating Factors

HUD will use the following technical and financial criteria to rate and rank applications received in response to this NOFA. The Request for Grant Application (RFGA) kit will provide guidance in responding to all the Rating Factors. The technical quality of an application will be rated, and then the strength, quality, and completeness of the financial and resources plan will be used to assess the likelihood that the technical plan can be carried out using the available resources.

In selecting successful Superfund applicants, HUD is very interested in applicants who have managed to involve PRPs yet HUD explicitly recognizes that there are a number of sites where there is no PRP and it is unlikely one will ever be found. These sites often have environmental justice issues which reflect the cumulative effects from multiple sources of lead exposure. These "orphan" Superfund sites are similar to Brownfield sites in that neither has the resources of a contributing PRP available to them. For this reason orphan Superfund sites and Brownfield sites will be evaluated similarly under Category B of the NOFA. However Superfund sites where one or more PRPs have been identified, and where PRPs are contributing less than 1% of the requested grant amount, will have a reduced score under this rating factor (see Section 7.3(a)(2)). Under Category B, HUD seeks a balance between those sites who have active and willing PRPs and those orphan Superfund sites and Brownfield sites that have no other means to accomplish lead-based paint hazard control. HUD believes that the best way to achieve this balance is to recognize PRP involvement and provide points for this

involvement in one of the factors and at the same time not exclude orphan Superfund or Brownfield sites. Therefore, since neither orphan Superfund sites nor Brownfield sites have PRP's, PRP involvement is *not* a prerequisite threshold requirement for eligibility or selection of an award.

The maximum score possible under the rating factors is 110 points.

(a) Coordination (35 Points)

(1) Describe the history of the working relationship of the applicant, EPA, any other Federal agencies, residents or neighborhood-based organizations, and each Potentially Responsible Party (PRP), if any. When describing the working relationship with EPA, applicants should include Superfund activity, if appropriate, or Brownfield activity. Describe any site-specific community relations plans and activities including public meetings and other outreach activities that present a complete picture of the community's involvement and any likely issues that may arise. (25 points)

(2) Discuss the financial, technical, and other resources contributed. (10 points)

Applicants will be scored according to ONLY one of the following situations:

(i) The site is an orphan Superfund site or a Brownfield site. The applicant will receive the full score. (5 points)

or

(ii) The site is a Superfund site and the total PRP contributions are equal to or exceed 1% of the requested grant sum. (10 points)

or

(iii) The site is a Superfund site and one or more PRPs have been identified and total contributions are less than 1% of the requested grant sum. (5 points)

(b) Activities (25 Points)

(1) (i) *For Superfund sites:* Describe the extent of the remediation work on the soil; provide a comprehensive picture of cleanup activities, both planned and undertaken, including any relevant site information that demonstrates the applicant's need, and describe how coordinated efforts of the applicant, PRPs, residents, and Superfund activities will reduce overall lead risk. (15 points)

or

(ii) *For Brownfield sites:* Applicants must provide information about whether or not lead soil contamination exists (if known) including the level of contamination. If soil lead levels exist, or are likely to exist, that need remediation, applicants must describe how remediation will occur. (15 points)

(2) Describe which non-HUD funding sources have been secured to abate

exterior lead-based paint hazards. (10 points)

(c) Strategy (20 Points)

(1) Discuss the quality and cost-effectiveness of the proposed lead-based paint hazard control strategy, especially as it relates to Superfund cleanup activities or Brownfield sites, HUD lead-based paint hazard control, and how they fit into an overall environmental lead risk reduction scenario. The overall plan must include: the selection of sub-grantees and other sub-recipients to assist in implementing the project; the total number of units to be tested and treated and the rationale for this total; the abatement/hazard control methods and levels of treatment proposed, and number of units by type of treatment; the amount of prior hazard control experience; financing mechanisms for hazard control activities and the process for recruiting property owners (if applicable); temporary relocation plans, if needed; and the degree to which the strategy focuses on households in eligible housing with children under the age of 6 years (if applicable). (8 points)

(2) The level of coordination between the applicant, HUD, and the Superfund program or the Brownfield program; the experience of the applicant with environmental issues; the experience of the applicant with environmental justice issues; the experience of the applicant in dealing with the private sector, especially for Superfund sites with PRPs. (7 points)

(3) A program for education and outreach to the people residing on or near the Superfund site or on or near the Brownfield site on the hazards of lead in paint, soil, and dust, including blood lead screening of young children and, if necessary, referral for medical treatment. Include roles and responsibilities and approaches undertaken by the groups and organizations involved in both education and outreach, and blood lead testing and medical follow-up. (5 points)

(d) Management and Budget Plan (20 Points)

The Management and Budget Plan shall include:

(1) A narrative describing how the process and tasks of the grant program will be coordinated and managed by the personnel discussed in the strategy rating factor. Provide a brief narrative for each major budget subtask and justification for each functional cost element, explaining its planned use. (8 points)

(2) A budget proposal for each major cost element of the HUD grant, a task by

task spreadsheet for the HUD grant and Part B of Standard Form 424A, for the match and other resources contributed by the applicant and the budget for the Superfund part of the project or the Brownfield part of the project as applicable. If applicable, describe specifically how Superfund dollars and HUD dollars will be allocated and tracked and whether or not Superfund dollars will be used to control exterior lead-based paint hazards as part of the soil remediation plan. (8 points)

(3) At a minimum, the applicant shall provide a 10 percent matching contribution of the requested grant sum. Points for this factor will be awarded only for the amount of the *net* contributions that exceed the 10 percent statutory minimum. Contributions may be cash or in-kind, or a combination of both. In-kind contributions must be given a monetary value. PRPs may contribute cash to meet this 10 percent matching contribution requirement. Community Development Block Grant funds are the only Federal funds which may be considered part of the 10 percent matching contribution, when they are specifically dedicated to this project. Additional resources committed to the program that exceed the minimum required 10 percent match will provide points for this rating factor. Each source of contributions, cash or in-kind, both for the required minimum and additional amounts, shall be made in a letter of commitment from the contributing entity, whether a public or private source, and shall describe the contributed resources that will be used in the program. The absence of letters providing specific details and amount of the actual contributions will result in that contribution not being counted. (4 points)

(e) Actions Affirmatively Furthering Fair Housing in Department Programs (10 Points)

Extent to which proposal affirmatively furthers fair housing and environmental justice for all persons regardless of race, color, national origin, religion, sex, disability (including children with EBL), or familial status (size of family and number of children). Special consideration will be given to particularly innovative strategies and those designed to remedy the effects of identified past discrimination. Applicants with existing grants should discuss outstanding current activity on the factors specified below. Proposals which receive the full ten points will have addressed, in depth, the following issues:

(1) Outreach strategies and methodologies to provide lead hazard-

free housing to all segments of the population: homeowners, owners of rental properties, and tenants; especially for occupants least likely to receive its benefits. Once the population to which outreach will be "targeted" is identified, (e.g.; homeowners who are racial minorities living in minority-concentrated areas or owners of properties with under-served tenants such as minority renters with large families containing young children), outreach strategies directed specifically to them should be multifaceted. This criterion goes beyond testing and hazard control; it concerns what happens to the units after the lead hazard control and tries to ensure that all families will have adequate, lead hazard-safe housing.

(2) Demonstrate how the funding would be used in conjunction with the State or local government's Fair Housing Planning strategy to overcome any identified impediment to fair housing choice, which pertains to lead-based paint, and how experience with this program will be used to update these documents. Specific impediments, plans for correcting the identified impediments, and planned updates to the analysis of impediments should be described.

Section 7.4 Checklist of Application Submission Requirements

7.4.1 Applicant Data

See Category A, Section 5.1 (a)-(k).

7.4.2 Proposed Activities

See Category A, Section 5.2 (a)-(d).

7.4.3 Certifications and Assurances

See Category A, Section 5.3 (a)-(k).

Section 8. Corrections to Deficient Applications

Shortly after the expiration of the NOFA submission deadline date, HUD will notify applicants in writing of any minor deficiencies in the applications that are not of a substantive nature and do not affect the score, such as an omitted certification or illegible signature. The applicant shall submit corrections, which must be received at the Office of Lead Hazard Control within 21 calendar days from the date of HUD's letter notifying the applicant of any minor deficiencies. Electronic or FAX transmittal is not an acceptable transmittal mode. Corrections to minor deficiencies will be accepted within the 21-day time limit. Applicants that do not make timely response to requests for deficiency corrections shall be removed from further consideration for an award.

Applicants shall only be permitted to correct those deficiencies determined by HUD to be minor. Deficiencies

determined by HUD to be substantive and which may affect the score may not be corrected.

Section 9. Administrative Provisions

9.1 Obligation of Funds

(a) Provision of Funds

Funding shall be provided on a cost-reimbursable basis not to exceed the amount of the grant, except as otherwise provided in Sections 9.2 and 9.3 of this NOFA.

(b) Availability of Funds

All payments will be made on a cost-reimbursable basis, except that a one (1) percent final payment shall be made upon completion of all tasks and delivery of an acceptable final report.

HUD will release funds for the inspection of units and for conducting the lead hazard control phase (interim controls, hazard abatement, or complete abatement) of the program after the grantee has submitted and secured HUD approval of HUD Form 7015.15 (Request for Release of Funds) which certifies that the grantee has fulfilled the environmental review requirements of the grant.

9.2 Increases of Awards

After executing the grant agreement and initial obligation of funds, HUD will not increase the grant sum or the total amount to be obligated based upon the original scope of work. Amounts awarded may only be increased as provided in Section 9.3, Deobligation, of this NOFA.

9.3 Deobligation

(a) Reasons for Deobligation

HUD may deobligate amounts for the grant if proposed activities are not initiated or completed within the required time after the award effective date. The grant agreement will set forth in detail other circumstances under which funds may be deobligated and other sanctions imposed.

(b) Treatment of Deobligated Funds

HUD may undertake either or both of the following actions:

- (1) Readvertise the availability of funds that have been deobligated under this section in a new NOFA; or
- (2) Choose additional applications which were submitted in response to this NOFA in accordance with the selection process described in Section 4.1 and Section 7.3 of this NOFA.

9.4 Reports

The grantee shall submit the following types of reports:

(a) Progress Reports

The grantee shall submit quarterly progress reports in accordance with HUD requirements. These progress reports shall include expenditure reports and a narrative describing important events, milestones, work plan progress, and problems encountered during the period covered.

(b) Final Report

The grantee shall submit a final report in accordance with the procedures of HUD's Management Reporting System. The report shall summarize the applicant's plans, execution of the plans, achievements noted, and lessons learned. The report need not be lengthy, but should be of a quality and detail to provide a free-standing description to any outside reader of all of the applicant's work and achievements under the grant.

Section 10. Findings and Certifications

Environmental Review

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR part 50, which implements Section 102(2)(C) of the National Environmental Policy Act of 1969, (42 U.S.C. 4332). The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the General Counsel, Rules Docket Clerk, Department of Housing and Urban Development, 451 Seventh Street, S.W., Room 10276, Washington, D.C. 20410.

Federalism Executive Order

The General Counsel, as the Designated Official under section 8(a) of Executive Order 12612, Federalism, has determined that the policies and procedures contained in this NOFA will not have substantial direct effects on States or their political subdivisions, or the relationship between the federal government and the States, or the distribution of power and responsibilities among the various levels of government. Under this NOFA, grants will be made for the control of lead-based paint and lead-dust hazards in low-income owner-occupied units and privately owned low-income rental units. Although the Department encourages States and local governments to initiate or expand lead-based paint certification, testing, abatement, and financing programs, any action by a State or local government in these areas is voluntary. Because action is not mandatory, the NOFA does not impinge upon the relationships between the Federal government and State and

local governments, and the notice is not subject to review under the Order.

Family Executive Order

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this document will likely have a beneficial impact on family formation, maintenance and general well-being. This NOFA, insofar as it funds repairs to privately owned housing, will assist in preserving decent housing stock for low-income resident families. Accordingly, since the impact on the family is beneficial, no further review is considered necessary.

Accountability in the Provision of HUD Assistance

Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) and the final rule codified at 24 CFR part 4, subpart A, published on April 1, 1996 (61 FR 1448), contain a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. On January 14, 1992 (57 FR 1942), HUD published a notice that also provides information on the implementation of section 102. The documentation, public access, and disclosure requirements of section 102 are applicable to assistance awarded under this NOFA as follows:

a. Documentation and Public Access

HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis.

b. Disclosures

HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than three years. All reports,

both applicant disclosures and updates, will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15.

Prohibition Against Lobbying Activities

Applicants for funding under this NOFA are subject to the provisions of section 319 of the Department of Interior and Related Agencies Appropriation Act for Fiscal Year 1991 (31 U.S.C. 1352) (the Byrd Amendment), which prohibits applicants from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant, or loan. Applicants are required to certify, using the certification found at Appendix A to 24 CFR part 87, that they will not, and have not, used appropriated funds for any prohibited lobbying activities. In addition, applicants must disclose, using Standard Form LLL, "Disclosure of Lobbying Activities," any funds, other than Federally appropriated funds, that will be or have been used to influence Federal employees, members of Congress, and Congressional staff regarding specific grants or contracts.

Procurement Standards

All grantees are governed by and should consult 24 CFR sections 85.36 and 85.37, which implement OMB Circular A-102 and detail the procedures for subcontracts and subgrants by States and local governments. Under § 85.36, which pertains to subcontracts, small purchase procedures can be used for contracts up to \$100,000, and require price or rate quotations from several sources (three is acceptable); above that threshold, more formal procedures are required (note that § 85.36 treats States differently than local governments). Section 85.37 procedures apply to subgrants, and are not as restrictive. If States have more restrictive standards for contracts and grants, the State standards can be applied. All grantees should consult and become familiar with §§ 85.36 and 85.37

before issuing subcontracts or subgrants.

Davis-Bacon Act

The Davis-Bacon Act does not apply to this program. However, if grant funds are used in conjunction with other Federal programs in which Davis-Bacon prevailing wage rates apply, then Davis-Bacon provisions would apply to the extent required under the other Federal programs.

Prohibition Against Advance Information on Funding Decisions—Section 103 of the Reform Act

HUD's regulation implementing section 103 of the HUD Reform Act, codified as 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the announcement of the selection of all successful applicants.

HUD employees involved in the review of applications and in the making of funding decisions are restrained by part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants who have ethics related questions should contact HUD's Ethics Law Division (202) 708-3815 (This is not a toll-free number).

Catalog of Federal Domestic Assistance Number

The Catalog of Federal Domestic Assistance Number for this program is 14.900.

Dated: May 22, 1997.

David E. Jacobs,

Director, Office of Lead Hazard Control.

Appendix A—Relevant Federal Regulations and Guidelines

To secure any of the documents listed, call the listed telephone number (generally not toll-free).

REGULATIONS

1. Worker Protection: OSHA publication—Telephone: 202-219-4667.

OSHA Regulations (available for a charge)—Government Printing Office—Telephone: 202-512-1800.

—General Industry Lead Standard, 29 CFR 1910.1025; (Document Number 869022001124).

—Lead Exposure in Construction, 29 CFR 1926.62, and appendices A, B, C, and D; published 58 FR 26590 (May 4, 1993). (Document Number 869022001141).

2. Waste Disposal: 40 CFR parts 260-268 (EPA regulations)—Telephone 1-800-424-9346.

3. Lead; Requirements for Lead-Based Paint Activities in Target Housing and Child-Occupied Facilities; Final Rule: 40 CFR part 745 (EPA) (State Certification and Accreditation Program for those engaged in lead-based paint activities)—Telephone: 202-554-1404 (Toxic Substances Control Act Hotline).

GUIDELINES

1. Lead-Based Paint: Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing; HUD, June 1995 (available for a charge)—Telephone: 800-245-2691:

Post-Lead Hazard Control Clearance, No More Than:

100 Micrograms/Sq.Ft. (Bare and Carpeted Floors)

500 Micrograms/Sq.Ft. (Window Sills)

800 Micrograms/Sq.Ft. (Window Troughs (Wells), exterior concrete and other rough surfaces)

2. HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition; Telephone: 202-708-0336.

3. Preventing Lead Poisoning In Young Children; Centers for Disease Control, October 1991; Telephone: 770-488-7330.

REPORTS

1. Putting the Pieces Together: Controlling Lead Hazards in the Nation's Housing, HUD, (Summary and Full Report), July 1995, (available for a charge)—Telephone 800-245-2691:

2. Comprehensive and Workable Plan for the Abatement of Lead-Based Paint in Privately Owned Housing: Report to Congress (HUD, December 7, 1990) (available for a charge)—Telephone 800-245-2691.

CDC CLASSES OF BLOOD LEAD LEVELS IN CHILDREN

Class	Concentration (µg/dL)	Comment
I	<9	Child is not considered to be lead-poisoned.
IIA	10-14	Large number or proportion of children with blood lead levels in this range should trigger community-wide childhood lead poisoning prevention activities. Children in this range may need to be rescreened more frequently.
IIB	15-19	Child should receive nutritional and educational interventions and more frequent screening. If the blood lead level persists, environmental investigation and intervention should be done.
III	20-44	Child should receive environmental evaluation and remediation and a medical evaluation; may need pharmacologic treatment of lead poisoning.

CDC CLASSES OF BLOOD LEAD LEVELS IN CHILDREN—Continued

Class	Con- centra- tion (µg/dL)	Comment
IV	45–69	Child will need both medical and environmental interventions, including chelation therapy.
V	>70	Child is a medical emergency. Medical and environmental management must begin immediately.

Appendix B**“Administrative Costs”****I. Purpose**

The intent of this HUD grant program is to allow the Grantee to be reimbursed for the reasonable direct and indirect costs, subject to a top limit, for overall management of the grant. In most circumstances the Grantee, whether a state or a local government, is expected to serve principally as a conduit to pass funding to sub-grantees, which are to be responsible for performance of the lead-hazard reduction work. Congress set a top limit of ten (10) percent of the total grant sum for the Grantee to perform the function of overall management of the grant program, including passing on funding to sub-grantees. The cost of that function, for the purpose of this grant, is defined as the “administrative cost” of the grant, and is limited to ten (10) percent of the total grant amount. The balance of ninety (90) percent or more of the total grant sum is reserved for the sub-grantee/direct-performers of the lead-hazard reduction work.

II. Administrative Costs: What They Are Not

For the purposes of this HUD grant program for States and local governments to provide support for the evaluation and reduction of lead-hazards in low and moderate-income, private target housing: the term “administrative costs” should not be confused with the terms “general and administrative cost”, “indirect costs”, “overhead”, and “burden rate”. These are accounting terms, usually represented by a government-accepted standard percentage rate. The percentage rate allocates a fair share of an organization’s costs that cannot be attributed to a particular project or department (such as the chief executive’s salary or the costs of the organization’s headquarters building) to all projects and operating departments (such as the Fire Department; the Police Department; the Community Development Department, the Health Department or this program). Such allocated costs are added to those projects’ or departments’ direct costs to determine their total costs to the organization.

III. Administrative Costs: What They Are

For the purposes of this HUD grant program, “Administrative Costs” are the Grantee’s allowable direct costs for the overall management of the grant program plus the allocable indirect costs. The allowable limit of such costs that can be reimbursed under this program is ten (10) percent of the total grant sum. Should the Grantee’s actual costs for overall management of the grant program exceed ten (10) percent

of the total grant sum, those excess costs shall be paid for by the Grantee. However, excess costs paid for by the Grantee and may be shown as part of the requirement for cost-sharing funds to support the grant.

IV. Administrative Costs: Definition**A. General**

Administrative costs, are the allowable, reasonable, and allocable direct and indirect costs related to the overall management of the HUD grant for lead-hazard reduction activities. Those costs shall be segregated in a separate cost center within the Grantee’s accounting system, and they are eligible costs for reimbursement as part of the grant, subject to the ten (10) percent limit. Such administrative costs do not include any of the staff and overhead costs directly arising from specific sub-grantee program activities eligible under Section 3.4(c) of this NOFA, because those costs are eligible for reimbursement under a separate cost center as a direct part of project activities.

The Grantee may elect to serve solely as a conduit to sub-grantees, who will in turn perform the direct program activities eligible under NOFA Section II.E.(5) (a) and (b) (ii) through (vi), or the grantee may elect to perform all or a part of the direct program activities in other parts of its own organization, which shall have their own segregated, cost centers for those direct program activities. In either case, not more than 10 percent of the total HUD grant sum may be devoted to administrative costs, and not less than 90% of the total grant sum shall be devoted to direct program activities. Grantee shall take care not to mix or attribute administrative costs to the direct project cost centers.

B. Specific

Reasonable costs for the Grantee’s overall grant management, coordination, monitoring, and evaluation are eligible administrative costs. Subject to the (10) percent limit, such costs include, but are not limited to, necessary expenditures for the following, goods, activities and services:

(1) Salaries, wages, and related costs of the Grantee’s staff, the staff of affiliated public agencies, or other staff engaged in Grantee’s overall grant management activities. In charging costs to this category the recipient may either include the entire salary, wages, and related costs allocable to the program for each person *whose primary responsibilities* (more than 65% of their time) with regard to the grant program involve direct overall grant management assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes *any overall grant management assignments*. The

Grantee may use only one of these two methods during this program. Overall grant management includes the following types of activities:

(a) Preparing grantee program budgets and schedules, and amendments thereto;
(b) Developing systems for the selection and award of funding to sub-grantees and other sub-recipients;

(c) Developing suitable agreements for use with sub-grantees and other sub-recipients to carry out grant activities;

(d) Developing systems for assuring compliance with program requirements;

(e) Monitoring sub-grantee and sub-recipient activities for progress and compliance with program requirements;

(f) Preparing presentations, reports, and other documents related to the program for submission to HUD;

(g) Evaluating program results against stated objectives; and

(h) Providing local officials and citizens with information about the overall grant program. (However, a more general education program, helping the public understand the nature of lead hazards, lead hazard reduction, blood-lead screening, and the health consequences of lead poisoning is a direct project support activity, under NOFA Section II.E.(5)(b), and should not be attributed to administrative costs, but to its own cost center.)

(i) Coordinating the resolution of overall grant audit and monitoring findings;

(j) Managing or supervising persons whose responsibilities with regard to the program include such assignments as those described in paragraphs (a) through (i).

(2) Travel costs incurred for official business in carrying out the overall grant management;

(3) Administrative services performed under third party contracts or agreements, for services directly allocable to overall grant management such as overall-grant legal services, overall-grant accounting services, and overall-grant audit services;

(4) Other costs for goods and services required for and directly related to the overall management of the grant program, including such goods and services as telephone, postage, rental of equipment, renter’s insurance for the program management space, utilities, office supplies, and rental and maintenance (but not purchase) of office space for the program.

(5) The fair and allocable share of Grantee’s general costs that are not directly attributable to specific projects or operating departments such as: The Mayor’s and City Council’s salaries and related costs; the costs of the City’s General Council’s office, not charged off to particular projects or operating departments; and the costs of the City’s

Accounting Department not charged back to specific projects or operating departments. (If Grantee has an established burden rate it should be used; if not Grantee shall be assigned a negotiated provisional burden rate, subject to final audit.)

To repeat, all of the above activities goods and services: 1.a-j., 2., 3., 4., and 5. are subject to the ten (10) percent limit.

Appendix C

Section 217 of Public Law 104-134 (the Omnibus Consolidated Rescissions and Appropriations Act of 1996, 110 Stat. 1321, approved April 26, 1996) amended Section 1011(a) of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X) to read as follows:

Sec. 1011 Grants for Lead-Based Paint Hazard Reduction in Target Housing

(a) GENERAL AUTHORITY. The Secretary is authorized to provide grants to eligible

applicants to evaluate and reduce lead-based paint hazards in housing that is not federally assisted housing, federally owned housing, or public housing, in accordance with the provisions of this section. Grants shall only be made under this section to provide assistance for housing which meets the following criteria—

(1) for grants made to assist rental housing, at least 50 percent of the units must be occupied by or made available to families with incomes at or below 50 percent of the area median income level and the remaining units shall be occupied or made available to families with incomes at or below 80 percent of the area median income level, and in all cases the landlord shall give priority in renting units assisted under this section, for not less than 3 years following the completion of lead abatement activities, to families with a child under the age of six years, except that buildings with five or more

units may have 20 percent of the units occupied by families with incomes above 80 percent of area median income level;

(2) for grants made to assist housing owned by owner-occupants, all units assisted with grants under this section shall be the principal residence of families with income at or below 80 percent of the area median income level, and not less than 90 percent of the units assisted with grants under this section shall be occupied by a child under the age of six years or shall be units where a child under the age of six years spends a significant amount of time visiting; and

(3) notwithstanding paragraphs (1) and (2), Round II grantees who receive assistance under this section may use such assistance for priority housing.

* * * * *

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NOFA IV
ELIGIBILITY OF HUD-ASSOCIATED "ELIGIBLE" HOUSING UNITS
TO PARTICIPATE UNDER HUD'S
LEAD-HAZARD-CONTROL GRANTS PROGRAM

APPENDIX D

Program	Eligibility		Program	Eligibility	
	Yes	No		Yes	No
Housing Components of Community Planning & Development Programs					
Community Development Block Grants (Entitlement)	X		Single Family Home Mortgage Coinsurance (Section 244)	X	
Community Development Block Grants (Non-Entitlement) for States and Small Cities	X		Graduated Payment Mortgages (Section 245)	X	
Community Development Block Grants (Section 108 Loan Guarantee)	X		Adjustable Rate Mortgages (ARMs)(Section 251)	X	
Special Purpose Grants	X		Manufactured Homes (Title I)	X	
The Home Program: HOME Investment Partnerships	X		Housing Multifamily Programs		
HOPE for Homeownership of Single Family Homes	X		Rent Supplements (Section 101)		X
Shelter Plus Care (by component)	X		Multifamily Rental Housing (Section 207)	X	
Sponsor-based Rental Assistance	X		Cooperative Housing (Section 213)	X	
Tenant-based Rental Assistance	X		Mortgage and Major Home Improvement Loan	X	
Project-based Rental Assistance	X		Insurance for Urban Renewal Areas (Section 220)	X	
SRO Rental Assistance	X		Multifamily Rental Housing for Moderate-Income Families	X	
Single Family Property Disposition Homeless Initiative	X		Section 221(d)(3)	X	
Emergency Shelter Grants	X		Section 221(d)(4)	X	
Housing Opportunities for Persons With Aids (HOPWA)	X		Existing Multifamily Rental Housing (Section 223(f))	X	
Surplus Properties (Title V)	X		Supplemental Loans for Multifamily Projects (Section 241)	X	
Supportive Housing Demonstration Program Transitional Housing Component	X		Supportive Housing for Persons with Disabilities (Section 811)	X	
Supportive Housing Demonstration Program Permanent Housing Component	X		HOPE 2: Homeownership of Multifamily Units (Title IV)	X	
Supplemental Assistance for Facilities to Assist the Homeless (SAFAH)	X		Low-Income Housing Preservation and Resident Homeownership (Title VI)	X	
Supportive Housing Program	X		Emergency Low-Income Housing Preservation (Title II)	X	
Section 8 SRO Mod Rehab for Homeless Individuals	X		Flexible Subsidy (Section 201)	X	
Innovative Demonstration Program	X		Public and Indian Housing		
Housing Single Family Programs			Section 8 Project-Based Certificate Program	X	
One- to Four-Family Home Mortgage Insurance (Section 203(b) and (i))	X		Section 8 Tenant Based Certificate and Voucher Program	X	
Rehabilitation Mortgage Insurance (Section 203(k))	X		Section 8 Moderate Rehabilitation Program	X	
Homeownership Assistance for Low- and Moderate-Income Families (Section 221(d)(2))	X		Public Housing Development	X	
Homes for Service Member (Section 222)	X		Public Housing Operating Subsidy	X	
Housing in Declining Neighborhoods (Section 223(e))	X		Public Housing Modernization (Comprehensive Grant Program)	X	
Condominium Housing (Section 234)	X		Public Housing Modernization (Comprehensive Improvement Assistance Program)	X	
Housing in Military Impacted Areas (Section 238)	X				

Appendix E—Elements of a State Certification Program

Congress has assigned Federal responsibility to the Environmental Protection Agency (EPA) for the definition, implementation, and oversight of State Certification Programs for workers, contractors, and inspectors engaged in the detection and reduction of lead-based paint hazards. The Department of Housing and Urban Development (HUD) has a strong interest in the strength and rigor of the EPA program, because HUD must rely on the effectiveness of the EPA program to assure the safe detection and reduction of those lead-based paint hazards.

In October 1992, Congress passed the Residential Lead-Based Paint Hazard Reduction Act (Title X of the Housing and Community Development Act of 1992). This legislation required EPA to promulgate regulations governing the accreditation of training programs, the certification of contractors and the training of workers engaged in lead-based paint activities. In addition, EPA was directed to issue work

practice standards. Under the statute, lead-based paint activities are defined as:

(a) In the case of target housing: risk assessment, inspection, and abatement; and

(b) In the case of any public building constructed before 1978, commercial building, bridge, or other structure or superstructure: identification of lead-based paint and materials containing lead-based paint, deledding, removal of lead from bridges, and demolition.

On August 29, 1996 EPA promulgated a final regulation that established requirements for lead-based paint activities in Target Housing and Child Occupied Facilities. At 40 CFR part 745 Subpart L, the Agency established requirements for the certification of individuals and the accreditation of training programs as well as work practice standards. At 40 CFR part 745 Subpart Q, the Agency established procedures and requirements for the approval of State programs that would be administered and enforced in lieu of the Federal Program in that State. At 40 CFR 745.325 and 745.327, the Agency established the minimum

programmatic and enforcement elements that a program must have in order to be authorized. States will have until August 30, 1998 to receive authorization from the Agency. After that date, EPA will administer the Federal program in that State. Any State that is applying for a HUD Lead-Based Paint Hazard Control Grant must have legislation that provides the State with the authority to develop a program that reflects substantial progress towards fulfilling the requirements of 40 CFR 745.325 and 327. Thus, while HUD does not require that 40 CFR part 745 be fully implemented at this time, a State must have enacted legislation which will support the eventual implementation of all requirements set forth in EPA's final rule. States should be aware that effective August 30, 1998, HUD will not award grants for lead-based paint hazard evaluation or reduction to a State unless such State has an authorized program under section 404 of the Toxic Substances Control Act.

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